

The first and Second Part of
A
SEASONABLE, LEGAL,
AND
HISTORICALL VINDICATION,
AND

Chronological COLLECTION of the Good, Old, Fundamentall Liberties, Franchises, Rights, Laws of all English Free-men their best Inheritance, Birthright, Security, against all Arbitrary Tyranny, and Egyptian Burdens; and of their strenuous Defence in all former Ages; of late years most dangerously undermined, and almost totally subverted, under the specious Disguise of their Defence and future Establishment, upon a sure Basis, by their pretended, Greatest Propagators.

WHEREIN IS,

Irrefragably evinced by Parliamentary Records, Proofs, Presidents, That we have such Fundamentall Liberties, Franchises, Rights, Laws. That to attempt to effect the Subversion of all or any of them, (or of our Fundamentall Government) by Fraud or Force, is High Treason. The principal of them summed up in X. Propositions; The chief printed Treatises asserting them, specified: A Chronological History of our Ancestors, zeal, vigilancy, courage, prudence, in gaining, retaining, enlarging, defending, and confirming, and perpetuating them to Posterity, by Great Charters, Statutes, New Confirmations, Excommunications, Speciall Considerations, Consultations, Petitions, Declarations, Remonstrances, Oaths, Protestations, Vows, Leagues, Covenants, and likewise by their Arms, when necessitated, during all the Britons, Romans, Saxons, Danes, Normans and English Kings Reigns, till this present; collected for present and future publique benefit; with a Brief Touch of their late unparalleled Infringements and Subversions in every particular; The Trials of all Malefactors by their Peers and Juries, published, as the only legal, best, most indifferent, and all other late arbitrary judicatories, erected for their Trial, exploded, as destructive both to our Fundamentall Laws and Liberties.

Collected, recommended to the whole English Nation, as the best Legacy he can leave them,


By William Prynn of Swainswick, Esquire.

The Second Edition Corrected and much Enlarged.

Psal. 11. 3. If the Foundations be destroyed, what can the righteous do?

Psal. 82. 5. They know not, neither will they understand, they walk on in darkness: all the Foundations of the earth are out of course.

London, Printed for the Author, and are to be sold by Edward Thomas in Green Arbour, 1655.




Errata.

IN the Epistle, letter C. page 8. l. 6. read effect. D. p. 2. l. 9.
Err Tesmond, H. p. 5. l. 19. Censurers, I. p. 5. l. 13 of r. our
K. p. 7. l. 28. r. Helra, L. p. 4. l. 20. r. exerceunt. In the Margin
H. p. 3. l. 42. aliquem, I. p. 6. l. 27. pacti L. p. 8. l. 13. r. 23.

In the Book p. 4. l. 25. r. as of, p. 13. l. 36. r. were resol-
ved. p. 19. l. 14. r. Vote of p. 24. l. 16. of p. 26. l. 15. of and
p. 29. l. 33. Statutes. p. 32. l. 26. r. E. 6. c. 5. p. 35. l. 6. to sedi-
tion p. 38. l. 19. r. parts.

Margin, p. 27. l. 13. ther r. other, p. 64. l. 3, 4, 5. r. 10. R. 2.
cap. 1. 1 H. 5. c. 1. 28 H. 6. n. 51. l. 11. r. 4 E. 4.





To all truly Christian Free-men of
England, Patrons of Religion, Free-
dom, Lawes, Parliaments, who shall
peruse this Treatise.

*This Epistle
should have
been printed be-
fore the first
part; but was
omitted through
hast.*

Christian READER;

IT hath been one of the most detestable Crimes, and highest
Impeachments against the Antichristian (a) Popes of Rome, (a) See the se-
veral Epistles of
Frederick the
Emperour aginst
Pope Gegey
the 9, and In-
nocent the 4, re-
corded by Mat.
Paris, p. 332. to
693. (Parisus.)
(b) See Extrac-
de Majoritate
& Obedientia:
Augustinus Tri-
umphus, Bellar-
minus, Becanus,
and others, De
Monarchia Re-
mani Pontificis.
Hospinian Hist.
Jesui. l. 3, & 4.

that under a Saint-like Religious pretext of advancing the
Church, Cause, Kingdom of Jesus Christ, they have for some
hundred years by-past, usurped to themselves (as sole Mo-
narchs of the World in the Right of Christ, whose Vicars they
pretend themselves to be) both by Doctrinal Positions and
Treasonable Practises, (b) an absolute Sovereign, Tyrannical
Power over all Christian Emperours, Kings, Princes of the
World (who must derive and hold their Crowns from them a-
lone, upon their good behaviours at their pleasures) not onely to
Excommunicate, Censure, Judge, Depose, Murder, Destroy
their sacred Persons; but likewise to dispose of their Crowns,
Scepters, Kingdoms, and translate them to whom they please.

In pursuance whereof, they have most traiterously, wick-
edly, seditiously, atheistically, presumed to absolve their Subjects
from all their sacred Oaths, Homages, natural Allegiance, and
due Obedience to them, instigated, encouraged, yea expressly
enjoyed

enjoyed (under pain of interdiction, excommunication, and other censures) their own Subjects, & their own sons sometimes; both by their Bulls and Agents, to revolt from, rebel, war against, depose, dethrone, murder, stab, poison, destroy them by open force, or secret conspiracies: and stirred up one Christian King, Realm, State, to invade, infest, destroy, usurp upon another; onely to advance their own Antichristian Sovereignities, Usurpations, Ambition, Rapines, worldly Perverse and Ends: as you may read at leisure in the Statutes of 25 H. 8. c. 12. 28 H. 8. c. 10. 37 H. 8. c. 17. 13 Eliz. c. 2. 23 Eliz. c. 1. 35 Eliz. c. 2. 3 Jacob. c. 1, 2, 4, 5. 7 Jacob. c. 6. The Emperour Frederick his Epistles against Pope Gregory the 9. and Innocent the 4. recorded in *Matthew Paris*, and * others, *Aventinus Annalium Boiorum*, Mr. William Tyndal's Practice of Popish Prelates; the second Homily upon *Wisunday*; the Homilies against disobedience, and wilful Rebellion; Bishop *Jewel*'s view of a seditious Bull; *John Bale* in his lives of the Roman Pontiffs; Doctor *Thomas Bilson* in his True difference between Christian subjection, and unchristian Rebellion; Doctor *John White* his Sermon at *Paul's Cross*, March 24. 1625. and Defence of the Way, c. 6, 10. Doctor *Crakenthorpe* of the Popes temporal Monarchy; Bishop *Morton*'s Protestant Apology; Doctor *Beard*'s Theater of God's Judgements, l. 1, c. 27, 28. Doctor *Squire* of Anichrist; *John Bodin* his Commonwealth, l. 1. c. 9. The learned *Morney Lord du Plessy*, his Mystery of Iniquity, and History of the Papacy. The General History of France. *Grimston*'s Imperial History. *Matthew Paris*, *Speed*, *Holinshed*, *Cambden*, and others; in the lives of King *John*, *Henry* the 3. Queen *Elizabeth*, and other of our Kings, with hundreds of printed Sermons on the 5 of November.

† The principal Instruments the Popes employed of late years, in these their unchristian Treasonable Designs, have been pragmatical, furious, active Jesuites, whose Society was first erected by *Ignatius Loyola* (a Spaniard by Birth, but A (c) SOULDIER by Profession) and confirmed by Pope *Paul* the 3. Anno 1540, which Order consisting onely

* *Henricus de Knighton, de Eventibus Angli.* 2, l. 2. c. 14, 15.

(c) See *Massanus Vexum & Petrus Ribadeniera in vita Ignatii Loyola.* Heylins *Micro-* co/me, p. 179.

ly of ten persons at first, and confined onely to sixty by this Pope, hath so monstrously increased by the Popes and Spaniards favours and assistance (whose chief Janizaries, Fallers, Intelligencers they are) that in the year 1626. (d) they caused the picture of Ignatius their Founder to be cut in Brass, with a goodly Olive Tree growing (like Jesses root) on one side, spreading its branches into all kingdoms and Provinces of the World, where the Jesuites have any Colledges and Seminaries, with the name of the Province at the foot of the branch, which hath as many leaves as they have Colledges and Residences in that Province; in which leaves, are the names of the Towns and Villages where these Colledges are situated: Round about the Tree are the Pictures of all the illustrious Persons of their Order; and in Ignatius his right hand, there is a Paper, wherein these words are engraven, *Ego sicut Oliva fructifera in domo Dei;* taken out of Ps. 52. 8. which portraictures they then printed and published to the world: wherein they set forth the number of their Colledges and Seminaries to be no less then 777. (increased to 155 more, by the year 1640.) in all 932. as they published in like Pictures & Pageants printed at Antwerp, 1640. Besides sundry New Colledges and Seminaries erected since.

In these Colledges and Seminaries of theirs, they had then (as they print) 15591 Fellows of their Society of Jesus, besides the Novices, Scholars, and Lay-brethren of their Order, amounting to neer ten times that number. So infinitely did this evil weed grow and spread it self, within one hundred years after its first planting. And which is most observable, of these Colledges and Seminaries they reckoned then no less then 15 (secreet ones) IN PROVINCIA ANGLICANA, in the Province of ENGLAND, where were 267 SOCII or Fellows of that Society: besides 4 COLLEDGES OF ENGLISH JESUITES ELSEWHERE. In IRELAND and elsewhere 8 Colledges of IRISH JESUITES: and in SCOTLAND and otherwhere 2 Residences of SCOTTISH JESUITES.

What the chief employments of Ignatius and his nume-

(d) See Lewis Owen his Jesuites Looking-glass, printed London 1629. the Epistle to the Reader, and p. 48 to 58. Jubilaeum, five Speculum Jesuiticum, printed 1644. p. 307 & 213. Hospinian Hist. Jesuitica, l. 2.

Speculum Jesuiticum. p. 210. See Romes Maxima & Centerburies Doom, p. 435. Sec. Hidden Works of Darkness. 88, 144.

rous swarms of Disciples are in the World, his own Society at the time of his Canonization for a Romish Saint, sufficiently discovered in their painted Pageants, then shewed to the people, (e) wherein they pourtrayed this new Saint holding the whole world in his hand, and fire streaming out forth of his heart (rather to set the whole world on fire by Combustions, Wars, Treasons, Powder-plots, Schismes new State, and old Church-Heresies, then to enlighten it) with this Motto; VENI IGNE MITTRE: I came to send fire

(c) *Mercure Historique*, tom. 1. p. 67. *Speculum Jesuitarum* p. 156.

(f) See Lettin Owen his running Register, & his Jesuited Looking glass. The Anatomy of rum, &c. An. 1641. c. 7, 8, 24. the English Nunnew at Libon.

(g) *De Monarchia Hispanica*, therlands, and elsewhere, for English, Scottish, Irish Jesuites p. 146, 147, 148, 149, 204, 234, 235, 236, 185, 186.

(h) See Thomas Campanella de *Monarchia Hispanica*, Watson's quodlibets, Coltoni Posthuma, p. 91. to 107. Cardinal de Offets Letters. *Arca Imperii Hispanici* Delob. 1628.

Aduite a tous les Estat's de Europe, touches les maximas Fundamentales de Government & diffinies Espagnols, Paris, 1625.

into the World; which the University of Cracow in Poland objected (amongst other Articles) against them, Anno 1622. and Alphonsus de Vargas more largely insisteth on in his *Relatio de Stratagematibus & Sophismatibus Politicis Jesuitarum*, &c. An. 1641. c. 7, 8, 24.

Their number being so infinite, and the (f) Pope and Spaniard too, having long since (by (g) Campanella's advice) erected many Colledges in Rome, Italy, Spain, the Ne- chia Hispanica, therlands, and elsewhere, for English, Scottish, Irish Jesuites (as well as for such secular Priests, Friars, Nuns) of purpose to promote their designs against the Protestant Princoes, Realms, Churches, Parliaments of England, Scotland, Ireland, &c.

(h) See Thomas Campanella de *MONARCHY* over them, by Fraud, Policy, Treason, intestine Divisions, and Wars, being unable to effect it by their own Power; no doubt of late yeers many hundreds, if not thoulands, of this Society, have crept into England, Scotland and Ireland, lurking under several disguises; yea, an whole Colledge of them late weekly in counsel, in or neer Westminster, some few yeers since, under Conne the Popes Nunio, on purpose to embroyle England and Scotland in bloody civil wars, thereby to endanger, shake, subvert these Realms, and destroy the late King (as you may read at large in my *Romes Master-piece*, published by the Commons special Order, An. 1643.) who occasioned, excited, fomented, the first and second intended (but happily prevented) wars between England and Scotland, and after that, the unhappy Differences, Wars, between the King, Parliament, and our three Protestant Kingdoms, to bring them to utter de-

solation, and extirpate our reformed Religion. X

The Kings Forces (in which many of them were Souldiers) after some yeers wars being defeated, thereupon their rather Ignatius being a SOULDIER, and they his Military sons, not a few of them (i) secretly insinuated themselves as Souldiers, into the Parliaments Army and Forces, (as they had formerly done into (k) the Kings) where they so cunningly acted their parts, as extraordinary illuminates, gifted brethren, and grand States-men, that they soon leavened many of the Officers, Troopers and common Souldiers, with their dangerous Jesuitical State-politicks, and (l) Practises, put them upon sundry strange designs, to new-mould the old Monarchical Government, Parliaments, Church, Ministers, Laws of England; erecting a New General Council of Army-Officers and Agitators for that purpose; acting more like a Parliament and Supreme Dictators, then Souldiers. And at last instigated the Army by open force, (against their Commissions, Duties, Oaths, Protestations and Solemn League & Covenant) to impeach, imprison, seclude, first eleven Commoners; then some six or seven Lords; after that to secure, seclude the Majority of the Commons House, suppress the whole House of Lords, destroy the King, Parliaments, Government, Priviledges, Liberties of the Kingdom & Nation, for whose defence they were first raised, which by no other adverse power they could effect. This produced new bloody divisions, animosities, wars, in and between our three Protestant Realms and Nations; & after with our Protestant Allies of the Netherlands, (*Campanella's express old projected Plots to subvert us both to the Popes and Spaniards Monarchies, effected by the Spaniards Gold and Agents) with sundry heavy Monthly Taxes, Excises, Oppressions, Sales of the Churches, Crowns, and of many Nobles and Gentlemens Lands and Estates, to their undoing, our whole Nations impoverishing, and discontent, an infinite profuse expence of Treasure, of Protestant blood both by Land and Sea, decay of Trade, with other sad effects in all our three Kingdoms; yea, sundry successive New changes of our publick Government, made by the Army-Officers; (who are

(i) See my Speech in Parliament, p. 107. 119. and the History of Independence.

(k) Exact Collection, p. 651, 652, 662, 666, 813, 814, 86, 826, 827, 832, 902, 904, 10920. A Collection of Ordinances, p. 267, 313, 354, 424.

(l) See Purvey Projects, the History of Independence, and Armies Declarations, Papers, Proposals, printed together, London, 1647.

*De Monarchia Hispanica, 25, 27.

are (still ringing the changes) according to *Campanella's* and *Parsons Platforms*. So that if *Fire* may be certainly discerned by the *smoke*; or the *Tree* commonly known by its *Fruit*, as the *Truth* it self resolves, *Matth. 12. 33.* we may truly cry out to all our Rulers, as the *Jews* did once to the Rulers of *Thessalonica*, in another case, *Act. 17. 6.* THOSE (Jesuites) WHO HAVE TURNED THE WORLD UPSIDE DOWN, ARE COME HITHER ALSO; and have turned our *Kingdoms, Kings, Peers, Monarchy, Parliaments, Government, Laws, Liberties*, (yea, our very *Church and Religion* too, in a great measure) UPSIDE DOWN, even by those very Persons, who were purposely raised, commissioned, waged, engaged by *Protestations, Covenants, Vows, Oaths, Laws, Allegiance and Duty*, to protect them from these Jesuitical Innovations and subversions.

And those Jesuites, Spanish Romish Agents, who have so far seduced, so deeply engaged them, contrary to all these Obligations, and to their own former printed Engagements, Remonstrances, Representations, Proposals, Desires, and RESOLUTIONS, for settling this Nation in its just Rights, the Parliament in their just Priviledges, and the Subjects in their Liberties and Freedoms; published to all the World, in the name of Sir Thomas Fairfax, THE ARMY, AND THE GENERAL COUNCEL OF THE ARMY, in one Volume. London, 1647. (which they may do well to peruse) yea, against the Votes, Intreaties, Desires, Advices, of both Houses of Parliament, the Generality of the good Ministers, people of the three whole Kingdoms, and their wisest, best affected Protestants Friends, who commissioned, raised, paid, assisted them for far other ends. O whether may they, will they not (in all humane probability) rashly, blindly, furiously henceforth lead, drive, precipitate them, to our whole three Kingdoms, Churches, Parliaments, Laws, Liberties total, final desolation, and the Armies too in conclusion, beyond all hopes of prevention, unless God himself shall miraculously change their Hearts, Councils, and reclaim them from their

and all Zealous Protestant Freemen of England.

their late destructive, heady violent courses: or put an hook into their Noses, to turn them back by the way by which they came: or set a timely period to their usurped Armed power and extravagant late proceedings, of such a desperate unparallel'd, unprotestant strange Nature, as none but the very worst of Ignatius his Disciples and Engineers durst set on foot, or still drive on amongst us Protestants. Which I earnestly beseech, adjure, and conjure them now most seriously to lay o heart, before it be overlate.

Those who will take the pains to peruse all or any of these several printed Books (most of them very well worth their reading) written against the Jesuites and their Praetises, as well by Papists as Protestants, as namely, *Fides Iesu & Jesuitarum*, printed 1573. *Doctrina Iesuitica principia capita*, Delph. 1589. *Aphorismi Doctrina Iesuitica*. 1608. *Cambitonius*, De Studiis Jesuitarum abstrusioribus. Anno 1608. *Jacobus Thuannus*, Passages of the Jesuites. Hist. l. 69, 79, 83, 94, 95, 96, 108, 110, 114, 116, 119, 121, 124, 126, 129, 131, 132, 134, 136, 137, 138. *Emanuel Meteranus* his Passages of them. Belgica Hist. l. 9, 12, 17, 18, 19, 21, 23, 26, to 34. *Willielmus Bandartius*, Continuatio Meterani, l. 37, 38, 39, 40. *Donatus Wesagus*, *Fides Iesu & Jesuitarum*, 1610. *Characteres Iesuitica*, in several Tomes. *Elias Husehmullerus*, *Historia Iesuitici Ordinis*, Anno 1605. *Speculum sive Theoria Doctrina Iesuitica, necnon Praxis Jesuitarum*, 1608. *Pasquier* his Jesuite displayed. *Petrus de Wange*, *Physiognomia Jesuitica*, 1610. *Christophorus Polargus*, his *Novus Jesuitismus*. *Franciscus de Verone*, his *Jesuitismus Sicarius*, 1611. *Narratio de proditi-one Jesuitarum in Magna Brit. Regem*, 1607. *Consilium de Iesuitis Regno Polonia ejiciendis*. The Acts of the States of Rhetia, Anno 1561, & 1612. for banishing the Jesuites wholly out of their Territories, NE STATUS POLITICUS TURBARETUR, &c. mentioned by *Fortunatus Sprecherus*, *Palladis Rhetica*, l. 6. p. 251, 273. *Melchior Valcius*, his *Furia Gretzero*, &c. remissa, 1611. *Censura Jesuitarum*, *Articuli Jesuitarum, cum communesactione illis opposita*

sita, *Anti-Jesuites*, au Roy par. 1611. *Varia Doctorum Theologorum Theses adversus quadam Jesuitica Dogmata*. The Remonstrance of the Parliament of Paris to Henry the Great against the re-establishment of the Jesuites; And their Censure of Mariana his book, to be publicly burnt, printed in French, 1610. recited in the General History of France, in Lewis 13. his life, & Peter Matthew, l. 6. par. 3. *Historia Francia. Varia Facultatis Theologia & Curia Parisiensis, quam aliorum Opuscula, Decreta & Censura contra Jesuitas*, Paris 1612. *Conradus Deckerus, De proprietatibus Jesuitarum*, 1611. *Quarrelarum incliti Regni Hungariae adversus corruptelas Jesuiticas defensio*. Lucas Osiander, his writing about the Jesuites bloody Plot, Han. 1614. *Jesuitarum per unitas Belgii Provincias Negotiatio*, Anno 1616. *Radulphus Hospinianus, Historia Jesuitica*, 1619. *Bogermannus his Catechismus Jesuiticus*. *Lodovicus Lucinus, Historia Jesuitica*, Basil. 1627. *Arcana Imperii Hispanici*, 1628. *Mercurie Jesuite*, in several Tomes, Geneve 1626, *De Conscientia Jesuitarum, tractat. Censura sacra Theologia Parisiensis, in librum qui inscribitur, Antonii Sanctarelli societatis Iesu, de Haresi, Schismate & Apostasia, &c.* Paris, 1626. *Ami-Cotton; Ioannes Henricus, Delibratio de compescendo perpetuo crudeli Conatu Jesuitarum*, Fran. 1633. A Proclamation of the States of the united Provinces, Anno 1612. And another Proclamation of theirs: with two other Proclamations of the Protestant States of the Marquessate of Moravia, for the banishing of the Jesuites, London 1629. *Alfonsi de Vargas Toletani, Relatio ad Reges & Principes Christianos, De Stratagematis & Sophismatis Politicis Societatis Iesu, ad Monarchiam Orbis terrarum sibi consuevit in qua Jesuitarum erga Reges & Populos optime de se meritis infidelitas, erga ipsos Pontificem perfidia, contumacia, & IN FIDEI REBUS NOVANDI LIBIDO*, illustribus documentis comprobatur, Anno 1641. *Iubilaeum, sive Speculum Jesuiticum, exhibens PRÆCIPUA JESUITARUM SCELERA, MOLITIONES, INNOVATIONES, FRAUDES, IMPOSTURAS, ET MENDACIA, CONTRA STATUM EC-CLESIAE*

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Sermons of Doctor John White, Bishop Lake, Bishop
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and others, preached on the fifth of November. Lewis
Owen, his Running Register, London, 1620. His Un-
masking of all Popish Monkes and Jesuites, 1628. And
his Jesuites Looking-Glasse, London, 1629. John Gee,
his Foot out of the Snare, &c. London, 1624. with
the Jesuitical Plots discovered in my Romes Master-piece;
and, Hidden works of darkness brought to publick Light,
London 1645. shall see the Jesuites and their Se-
minaries charged with, convinced of, and condemned
for these ensuing Seditious, Treasonable, Animonar-
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Andrews, Doctor Donne, Doctor Fealty, Doctor Clerk,
and others, preached on the fifth of November. Lewis
Owen, his Running Register, London, 1620. His Un-
masking of all Popish Monkes and Jesuites, 1628. And
his Jesuites Looking-Glaſs, London, 1629. John Gee,
his Foot out of the Snare, &c. London, 1624. with
the Jesuitical Plots discovered in my Romes Master-piece;
and, Hidden works of darkness brought to publick Light,
London 1645. shall see the Jesuites and their Se-
minaries charged with, convinced of, and condemned
for these ensuing Seditious, Treasonable, Antimonar-
chical, Anarchical Positions and Practises; for which,

their Society hath by publick Acts and Proclamations been severall times banished out of *Hungaria, Bohemia, Moravia, Poland, the Low Countries, Rhettia, France, Transilvania, Sweden, Denmark, the Palatinate, Venice, Ethiopia, Japan and Turkey*, as well as out of *England, Scotland and Ireland*, as most intufferable Pests and Traytors; in many of which they have yer gotten footing again.

1. That at least fifty several prime Authors of that infernal Society of *Jesui*. in several printed books (which you shall finde specified in Doctor *John Whiter* Defence of the Way, c.6, 10. *Aphorismi Jesuitarum: Tubileum*, or, *Speculum Jesuiticum*, p. 187, 188. and the Appendix to my Fourth part of the Sovereign power of Parliaments, p. 187, 188.) have dogmatically maintained; *That the Pope hath absolute power, not onely to excommunicate, but judicially to suspend, mulct with temporal penalties, depose, de throne, **PAT TO DEATH**, and destroy any Christian Emperours, Kings, Princes, Potentates, by open Sentence, War, Force, secret Conspiracies, or private assassinations, and to give away their Crowns and Dominions to whoever will invade them, by Treason or Rebellion, at the Popes command; and that in cases of Heresie, Schisme, Disobedience to, Rebellion against the Pope or See of Rome, Male-administration, refusal to defend the Pope or Church against her adversaries, Insufficiency to Govern, Negligence, Tyranny, Excesses, Abuses

(m) *Quando in Gove nment, Incorrigibility, Viciousness of Life, and (m)* **NECESSARY OF THE PUBLICK GOOD, OR SAFETY OF THE CHURCH, STATE, OR CAUSE OF GOD**; as *Antonius Sanctarellus* the Jesuite particularly defines, in his Book *De Haresibus, Schismaticis, &c.* printed in Rome it self, Anno 1625. who affirms it to be, *Multum aequum & Reipublica expeditum, ut sit aliquis supremus Monarcha, qui Regum hujusmodi excessus possit corrigere, & DE IPHIS TUBILEUM PLOPHETARE*; sicut **PETRO** concessa fuit facultas **PUBLICANDI PAC-PA TEMPORALI**, imo etiam, **PACIA MOR-ALIS**,

* *Hosinian.*
Hib. Jesuit. l. 4.

*eorum malitia
hoc exiget &
Reipub. vel Ec-
clesie NECES-
SITAS sic re-
quirat. Specu-
lum Jesuiticum,
p. 168, 169, 170.
Mereue Jesu-
ite, Part. 1. p.
384, 385.
Alloué de Var-
gas Rel. Rio. &c.
1. 55.*

**THIS, DICED PERSONS AND ALIEN
NEW CONFESSIONS OR CREEDS.**

(Whether the Erection, Title of, or Proceedings against our beheaded King, in the late mis-named *High Court of Justice*, had not their original from hence; and whether the *Army-Officers* derived not their very phrase, (n) of bringing the King **TO JUSTICE**, with their pretended **NECESSITY OF PUBLIC GOOD** AND **SAFETY**, for it, from these very Jesuits, or their Agents in the Army; let themselves, the whole Kingdom, and all Wilemen now consider.) Moreover,

some of the fifty Authors, (as *Creswel*, or *Parsons* the English Jesuite, in his *Philopater*, Sect. 2. and *De Officio Principis Christiani*, chap. 5. affirm, That the whole School both of (their) Divines and Lawyers, make it a Position certain and undoubtedly to be believed, That if any Christian Prince whatsoever, shall manifestly turn from the Roman Catholick Religion, or desire, or seek to reclaim others from the same; or but favour, or shew countenance to an Heretick (as they deem all Protestants, and Dissenters from the See of Rome in any punkilio, such) he presently falls from a **LOVELY** AL **PRINCIPALLY** POWER

and Dignity; that by Virtue and Power of the Law it self, he is divorced and divorced, even before any sentence pronounced, and is to be treated as a **REBEL** AND **TRAITOR**. That thereby his Subjects are absolved from all Oaths and Bonds of Allegiance to him as to their lawful Prince. Nay, that they may and ought (provided they have competent power and force) to cast out such a Prince from bearing rule amongst Christians, as an Apostate, an Heretick, a Backslider, a Revolver from our Lord Jesus Christ, and an enemy to his own estate and con-

(n) See these Remonstrance from St. Albans, 16 Nov. 1648. and Decem. 7. with other Papers.

* Attributed to the Jesuite Treason.

science, and Dignity; that by Virtue and Power of the Law it self, he is divorced and divorced, even before any sentence pronounced, and is to be treated as a **REBEL** AND **TRAITOR**. That thereby his Subjects are absolved from all Oaths and Bonds of Allegiance to him as to their lawful Prince. Nay, that they may and ought (provided they have competent power and force) to cast out such a Prince from bearing rule amongst Christians, as an Apostate, an Heretick, a Backslider, a Revolver from our Lord Jesus Christ, and an enemy to his own estate and con-

* See Watsons Quolibets, p. 195. &c.

POPE; lest perhaps he might infect others, or by his example or command, turn them from the faith. And that the Kingdom of such an Heretick or Prince, is to be bestowed at the pleasure of the Pope, with whom the people upon pain of Damnation, are to take part, and fight against their **SOVERAIGN**. Out of which detestible and Treasonable Conclusions, most Treasons and Rebellions of late time have risen in the Christian World; and the first smoke of the Gunpowder-treason too, as John Speed observes in his History of Great Britain, p. 1250. Whereupon the whole University of Paris censured them, An. 1625, and 1626. not only as most pernicious, detestable, damnable, erroneous, and perturbing the publick Peace; but likewise, as Subversive of Kingdoms, States, and Republicks, seducing Subjects from their Obedience and subjection, and stirring them up to Wars, Factions, Seditions, & Principum parricidia, and the Purthers of their **WARS**.

* Alphonsi de Vargas Relatio, &c. c. 55. Speculum Jesuiticum, p. 162, 163.

* Hospinian. Hist. Jesuitica, l. 3.

2. That the Jesuites have * frequently put these Treasonable, Seditious, Antimonarchical, Jesuitical, damnable Doctrines into practice, as well against some Popish, as against Protestant Kings, Queens, Princes, States: which they manifest,

(o) Hist. Gallica & Religiosa, l. 1. p. 126. Speculum Jesuiticum p. 46.

Hospinian. Hist. Jesuitica, l. 3. l. 159. (p) See Speculum Jesuiticum and the General History of France in H. 3. Hospinian. Hist. Jesuitica, l. 3. l. 151, 152.

1. By (o) their poysoning *Jane Albret* Queen of Navarre, with a pair of deadly perfumed Gloves, onely for favouring and protecting the Protestants in France against their violence, Anno. 1572.

2. By their suborning and animating (p) *James Clement* a Dominican Friar, to stab King *Henry the third* of France in the belly with a poysoned Knife, whereof he presently died, Anno. 1589. for which they promised this Traitor, a Sainthood in heaven. Pope *Sixtus* the fifth himself commending this foul Fact in a long Oration to his Cardinals, as Insigne & memorabile facinus, non sine Dei Opt. Max. particulari providentia, & dispositione, ET SPIRITUS SANCTI SUGGESTIONE DESIGNATUM: facinusq; longe majus quam illud S. Judith, qua Holofer-

(q) Speculum Jesuiticum, p. 75.

3. By (q) *Cammote* the Jesuites publick justification of this

this Clement in a Sermon at Paris Anno 1593. wherein he not only extolled him above all the Saints, for his Treason against, and murder of Henry the 3. but broke out likewise into this further Exclamation to the people: *We ought to have some Ehnd, whether it be a A Hooke, or A Souldier, or a Varlet, or at least a Cow-herd. For it is necessary, that at least we should have some Ehnd.* This one thing onely yet remains behinde: for then we shall compose all our Affairs very well, and at last bring them to a desired end. Whereupon, by the Jesuites instigation, the same yeer 1593. one Peter Barriere, undertook the assassination of King (r) Henry the 4. of France: which being prevented, and he executed, thereupon they suborned and enjoined one of their own Jesuitical Disciples, John Castle, a youth of 19 years old, to destroy the King: who on the 27 of December 1594. intending to stab him to the heart, missing his aim, wounded him onely in the cheek, and stroke out one of his teeth; for which Treasonable act he was justified, applauded, as a renowned Saint and Martyr, by the Jesuites, in a printed Book or two, published in commendation of this. his undertaking. As namely, by Bonarscius the Jesuite, in his *Amphitheatrum, Franciscus Verona Constantinus*, (a Jesuite) in his *Apologia pro Iohanne Castello, contra Edictum Parliamenti, & supplicium de eo ob Parricidium sumptum*, An. 1595. Where he thus writes of the attempt upon Hen. 4. *Whoever diligently ponders, that Henry was excommunicated, an Heretick, relapsed, a profaner of holy things, a declared publick enemy, an oppressor of Religion; and (thereupon) a person secluded from all right to the Kingdom; and therefore a Tyrant, not a King; an Usurper, not a lawful Lord; he verily, unless he be mad, and destitute of humane sence, and love towards God, the Church, and his Country, cannot otherwise think or speak; but that the fact of Castle was generous, conformed with Vertue, and Heroical, to be compared with the greatest and most praise-worthy facts which the ancient Monuments of Sacred and Profane Histories have recorded. One thing onely may be disliked, namely, That Castle hath not utterly slain and taken him from the midst of us.*

(r) See the General History of France in the life of Henry 4. and Lewis 13. *Speculum Jesuiticum* 2. P. 77. 80, 126, 235. *Hospinian. Hist. Jesuitica*, l. 3. P. 153, to 158.

In sum, *He denies this Henry to be any King of France, by right or inheritance, because, (in his and the Jesuites Opinion onely, not in Truth) he was both an Heretick, and a TRAYTOR.* Asserting, *That it was lawful for Castle, or any other private man, TO DEPOSE A HERETICK OR TRAYTOR*, much more then, him that was both.

* Speculum Jesuiticum, p. 80.
81. Hopkinson.
Hist. Jesuitica,
1.3. f. 156, 157.

And * John Guignardus a Jesuite, (Fellow of the Jesuites Colledge of Claremont) in his Papers then seised by, and reported to the Parliament of Paris, Anno 1595. not onely compared Henry the third and fourth to Nero and Herod, and justified Clements murder of the one, and Castles attempt upon the other, as most Heroical and praise-worthy Actions: but likewise added, *That if we in the year 1572. on Saint Bartholmews day, (in the General Massacre of the French Protestants) had CUT OFF THE BABILICAN BEAST, (Henry King of Navarre) we had not fallen out of a Feavour, into that Plague, which now we finde. Sed quicquid delirant Reges plerumque Achivi, SAPIENTI PACESSIMO.* That King Henry should be but over-mildly dealt with, if he were thrust from the Crown of France, into a Monastery, and there had his crown shaven. That if he could not be deposed without a war, then a war was to be raised against him: but if a war could not be levied against him, the cause being dead, *CLASSE SPEDIO DEL- L'ATTA:* he should then be privily murdered and taken out of the way. For which the Parliament of Paris adjudged and executed him for a Traytor. Yea, so desperately were the Jesuites after this, bent to destroy this King, that * Alexander Hay (a Scottish Jesuite of Claremont) privy to Castles villany, used to say, *That if King Henry the fourth should pass by their Colledge (the first there built for them) he would willingly cast himself out of his window headlong upon him, so as he might break the Kings neck, though thereby he brake his own.* Yet was he punished but with perpetual Banishment. After which Jesuitical conspiracies detected and prevented, notwithstanding this King Henry (before these

* Hopkinson.
Hist. Jesu. 1.3
f. 157, 158.

these two attempts to murder him had by their solicitations, renounced the Protestant Religion, professed himself a zealous Romanist, recalled the Jesuites formerly banished for the murder of Henry the third, against his Parliaments and Counsels advice, reversed all the decrees of Parliament against them, razed the publick Pillar set up in Paris, as a lasting Monument of their Treasons and Conspiracies; built them a magnificent Colledge in Paris, indowed them with a very large Revenue; entertained Pere Cotten (one of their Society) for his Confessor (who revealed all his Secrets to the King of Spain;) bequeathed a large Legacy of Plate and Lands to their Society by his will, and was extraordinary bountifull and favourable towards them; yet these bloody ingratefull Villains, animated that desperate wretch, * Ravilliac, to * See the Gix- stab him to death in the open street in Paris, Anno 1610. val History of France in Hen. 4. and Lewis 13. Dr. John Whites De- for John Castle, p. 258. thus predicted his second mortal stab, in these words, Though this Prince of Orange escaped since of the the first blow, given him in his cheek, yet the next hit, where- 1775. c. 10. p. 46. of this was a presage; as the blow given by Castle shall
**BE THE FORE-RUNNER OF AN-
 OTHER BLOW.** Such implacable Regicides are the Jesuites.

4. By their suborning, instigating sundry bloody instru-
 ments one after another, to murder (f) William Prince of (f) See Grim- Orange, prevented in their attempts by God's provi- stons History of dence, till at last they procured one Balthasar Gerard the Netherlands p. 764. Thuanus l. 79. p. 186. Speculum Jesuitum cum. p. 60. 61. to shoot him to death with a Pistol, charged with three Bul-
 lets, An. 1584. the Jesuites promising him no less then **DEATH** if self, and a **CANONIZATION** **AND THE SAINTS AND MARTYRS**, for this bloody Treason, as they did to James Clement before, for murdering the French King. And it is very remarkable; That after this murder of his, * Thomas * De Moench. Campanella (a Jesuited Italian Frier) prescribed this as a principal means to the King of Spain of reducing the Ne- p. 258. therlands under his Monarchy again, to sow emulation
 and

and discords amongst their Nobles, States, and to murder Prince Maurice his son and successor, which he expresseth in these direct termes. *Parime opus est, ut Serpens seditionis, Comes Scilicet Mauritijs Interimatur; non vero per bellum diuturnum, copia illi danda est, magis magisq; succrescendi*: which they * twice likewise attempted to affect; An. 1594, and 1598. No wonder that they so much endeavour by all means & instruments to suppress that noble family now, to whom the Netherlands principally owe their enfranchisement from the Spanish yoke of bondage.

* Chron. Belgie
Tom. 1. p. 719.
Tom. 2. p. 97.
Meyeranus l.
17. p. 575.
Hospinian.
Hist. Jesuitica,
l. 3. c. 105.
(c) Speculum
Jesuiticum, p.
127.

5. By (t) their poisoning Stephen Bozokay Prince of Transylvania, for opposing their bloody persecution.

6. By their manifold bloody Plots and Attempts from (v) See *Speed time to time, to murder, depose, stab, poison, destroy our famous Protestant Queen Elizabeth, by open Insurrections, Rebellions, Invasions, Wars, raised against her both in England and Ireland; and by intestine clandestine Conjurations; from which Remembrance of Gods ever-waking providence did preserve her. Amongst Gods Mercy, other Conspiracies, that of Patrick Cullen, an Irish Friar, (hired by the Jesuites and their Agents to kill the Queen) is observable. (x) Holt the Jesuite, (who perswaded him to undertake the murdering of her) told him, that it was not only lawful by the Laws, but, that he should merit Gods Favour, and Heaven by it; and thereupon gave him remission of all his sins, & the Eucharist, to encourage him in this Treason; the chief ground whereof (and of all their other Treasons against this Queen) was thus openly expressed by *Iaquis Francis*, for Cullens further encouragement; That the Realm of England, then was and would be so well settled, that unless Mistress Elizabeth (so he termed his Dread Sovereign, though but a base Landreßson;) were suddenly taken away, All the Devils in Hell would not be able to prevail, to shake and overturn it. Which then it seems they * principally endeavoured, and oft-times since attempted, and have now at last effected, by those who conceit they demerit the Title of *Saints* (though not in a *Romish Kalender*) and no less then *Heaven*, for shaking, overturning, and making it *No Kingdom*.*

* See *Wraisons*
Quodlibets.

and all Zealous Protestant Freemen of England.

7. By their (y) *Conspiracy against King James*, to deprive him of his Rights to the Crown of England, imprison, or destroy his person: raise Rebellion, alter Religion, and subvert the State and Government; by vertue of Pope Clement the eighth his Bull directed to Henry Garnet, Superiour of the Iesuites in England: whereby he commanded all the Archpriests, Priests, Popish Clergy, Peers, Nobles and Catholicks of England, That after the death of Queen Elizabeth by the course of Nature, or otherwise, who-soever shall lay claim or title to the Crown of England, (though never so directly or nearly interested by descent) should not be admitted unto the Throne, unless he would first tolerate the Romish Religion, and by his best endeavours promote the Catholick cause; unto which by his Solemn and Sacred Oath he should religiously subscribe, after the death of that miserable woman; (as he stilled Queen Elizabeth.) By vertue of which Bull, the Iesuites, after her decease, dissuaded the Romish-minded Subjects, from yielding in any wise obedience to King James, as their Sovereign; and entered into a Treasonable Conspiracy with the Lord Cobham, Lord Gray, and others, against him, to imprison him for the ends aforesaid; or destroy him: pretending that King James was no King at all before his Coronation; and that therefore they might by force of Arms, lawfully surprise his person, and Prince Henry his Son, and imprison them in the Tower of London, or Dover-Castle, till they inforced them by duress, to grant a free toleration of their Catholick Religion, to remove some evil Counsellors from about them, and to grant them a free Pardon for this violence; or else they would put some further project in execution against them, to their destruction. But this Conspiracy being discovered, The Traitors were apprehended, arraigned, condemned, and Watson and Clerk (two Jesuited Priests who had drawn them into this Conspiracy, upon the aforesaid Pretext) with some others, executed as Traitors; (z) all the Judges of England resolving, that King James being right Heir to the Crown by descent, was immediately upon the death of Queen Elizabeth, actually possessed of the Crown, and lawfull King of England, before any Proclamation or Co-

(y) See Sceds Hist. p. 1:42, 1243, 1243. John Stow, and How; 1 Jac.

(z) Cook's Institutes, p. 7. and Calvins Case 7: Reports f. 10, 11. 1 Jac. c. 1.

and discords amongst their Nobles, States, and to murder Prince Maurice his son and successor, which he expresseth in these direct termes. *Parime opus est, ut Serpens seditionis, Comes Scilicet Mauritijs Interimatur; non vero per bellum dirutum, copia illi danda est, magis magisq; succrescendi*; which they * twice likewise attempted to affect; An. 1594, and 1598. No wonder that they so much endeavour by all means & instruments to suppress that noble family now, to whom the Netherlands principally owe their enfranchisement from the Spanish yoke of bondage.

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* Chron. Belgiz
Tom. 1. p. 719
Tom. 3. p. 97.
Meteranus l.
17. p. 575.
Hospinian.
Hist. Jesuitica,
l. 3. c. 205.
(r) Speculum
Jesuiticum, p.
127.

(v) See Speed
and Camden
in her life. Bi-
shop Carletons
Thankful Re-
membrance of
Gods Mercy,
London 1624.
(x) Hospinian.
Hist. Jesuitica,
Speeds History,
p. 1181. Camb-
den, Stow, Hol-
linshead in the
Life of Queen
Elizabeth. Spe-
culum Jesuiti-
cum, p. 73.

* See Watsons
Quodlibets.

7. By their (y) Conspiracy against King James, to deprive him of his Rights to the Crown of England, imprison, or destroy his person: raise Rebellion, alter Religion, and subvert the State and Government; by virtue of Pope Clement the eighth his Bull directed to Henry Garnet, Superiour of the Jesuites in England: whereby he commanded all the Archpriests, Priests, Popish Clergy, Peers, Nobles and Catholicks of England, That after the death of Queen Elizabeth by the course of Nature, or otherwise, who-soever shall lay claim or title to the Crown of England, (though never so directly or neerly interessed by descent) should not be admitted unto the Throne, unless he would first tolerate the Romish Religion, and by his best endeavours promote the Catholick cause; unto which by his Solemn and Sacred Oath he should religiously subscribe, after the death of that miserable woman; (as he stilled Queen Elizabeth.) By virtue of which Bull, the Jesuites, after her decease, dissuaded the Romish-minded Subjects, from yielding in any wise obedience to King James, as their Sovereign; and entred into a Treasonable Conspiracy with the Lord Cobham, Lord Gray, and others, against him, to imprison him for the ends aforesaid; or destroy him: pretending that King James was no King at all before his Coronation; and that therefore they might by force of Arms, lawfully surprize his person, and Prince Henry his Son, and imprison them in the Tower of London, or Dover-Castle, till they inforced them by duress, to grant a free toleration of their Catholick Religion, to remove some evil Counsellors from about them, and to grant them a free Pardon for this violence; or else they would put some further project in execution against them, to their destruction. But this Conspiracy being discovered, The Traitors were apprehended, arraigned, condemned, and Watson and Clerk (two Jesuited Priests who had drawn them into this Conspiracy, upon the aforesaid Pretence) with some others, executed as Traitors; (z) all the Judges of England resolving, that King James being right Heir to the Crown by descent, was immediately upon the death of Queen Elizabeth, actually possessed of the Crown, and lawfull King of England, before any Proclamation or Co-

(y) See Speeds Hist. p. 1242, 1243, 1243. John Stow and How; 1 Jac.

(z) Cooks Institutes, p. 7. and Calwins Case 72 Reports 1011. 1 Jac. c. 1.

renation of him, which are but Ceremonies, (as was
 * See Fox, Ho. formerly adjudged in the case of * Queen Mary, and
 Lincolnd, Speed, Queed Jane, 1 Maria) there being no Interregnum
 1 Maria. by the Law of ENGLAND, as is adjudged, de-
 clared by Act of Parliament, 1 Jac.c.1. worthy serious
 perusal.

8. By their (a) horrid Gun-powder Treason Plot; con-
 (a) See 3 Jaa. rived, fomented, by Garnet (Superiour of the English Je-
 c. 1, 2, 4, 6. suites) Gerard, Tensmod and other Jesuites; who by their A-
 Speeds History, postolical power, did not onely commend, but absolve from all
 p. 1250, to 1256. sin the other Jesuited Popish Conspirators, and Faux The
 The Avaign- Sculldier, who were their instruments to effect it.
 men of Tray- Yea, the Jesuitical Priests were so Atheistical, as that they
 tors, who others. usually concluded their Masses with Prayers, for the good
 Prayers for the succels of this hellish Plot, which was, suddenly, with no less
 5 of November. then 36 Barrells of Gunpowder, placed in a secret Vault under
 Hopin. au. Hist. the House of Lords, to have blown up and destroyed at once,
 Jesuitica 1.3. King James himself, the Queen, Prince, Lords Spirituall and
 f. 163, to 170. Temporal, with the Commons assembled together in the Upper-
 House of Parliament, upon the 5 of November, Anno Dom.
 1605. and then forcibly to have seised with armed men pre-
 pared for that purpose, the persons of our late beheaded King,
 then Duke of York, and of the Lady Elizabeth his Sister (if
 absent from the Parliament, and not there destroyed with the
 rest) that so there might be none of the Royal Line left to inhe-
 rit the Crown of England, Scotland and Ireland; to the utter
 overthrow and subversion of the whole Royal Family, Parlia-
 ment, State and Government of this Realm. Which unpa-
 rallel'd, inhumane, bloody Plot, being miraculously dis-
 covered, prevented, the very day before its execution,
 in perpetual detestation of it, and of the Jesuites and their
 traitorous Romish Religion, (which both contrived and
 approved it) the 5 day of November, by the Statute of
 3 Jacobi, ch. 1. was enacted to be had in perpetual Re-
 membrance, that all Ages to come, might thereon meet
 together publicly throughout the whole Nation, to render
 publick praises unto God, for preventing this infernal Jesuitical
 Design, and keep in memory this joyful Day of Deliver-
 rance;

rances; for which end, special forms of publick Prayers and Thanksgivings were then appointed, and that Day ever since more or less annually observed, till this present. And it is worthy special observation, that had this Plot taken effect, (b) It was agreed by the Jesuites and Popish Conspirators before-hand, That the Imputation of this Treason should be cast upon the Puritans, to make them more odious: as now they father all the Powder-Plots of this kinde, which they have not onely laid, but fully accomplished of late yeers against the King, Prince, Royal Posterity, the Lords and Commons House, our old English Parliaments and Government, upon those Independents, and Anabaptistical Sword-men, (whom they now repute and stile,* the most reformed PURITANS,) who were in truth, but their meer under-Instruments to effect them; When as they (c) originally laid the Plots; as is clear by Campanella's Book, De Monarchia Hisp. ch. 25. and Cardinal Richelieu his Instructions at his death, to the King of France. And it is very observable, that as Courtney the Jesuite, Rector of the English Jesuites Colledge at Rome did in the year 1641. (when the name of Independents, was scarce heard of in England) openly affirm to some English Gentlemen, and a Reverend Minister (of late in Cornwall) from whom I had this Relation, then and there featted by the English Jesuites in their Colledge, That now at last, after all their former Plots had miscarried, they had found out a sure way to subvert and ruine the Church of England (which was most formidable to them of all others) by the Independents; who immediately after (by the Jesuites clandestine assistance) infinitely increased, supplanted the Presbyterians by degrees, got the whole power of the Army, (and by it, of the Kingdom) into their hands, & then subverted both the Presbyterian Government and Church of England in a great measure, with the Parliament, King and his Posterity; as * Monsieur Mil-
litier a Jesuited French-Papist observes. So some Independent Ministers, Sectaries and Anabaptists, ever since 1648. have neglected the observation of the fifth of November.

(b) Speeds Hist. p. 1242. The Arraignement of Traytors, and M. John Vicars History of the Gunpowder Treason.

* See Militiere's Victory of Truth, 1654. dedicated to the King of Great Britain.

(c) See my Epistles to Jus Patronatus, and Speech in Parliament.

Nota.

* In his Victory of Truth, 1654. p. 15, 18, 24, 25, 26, 27.

(as I am credibly informed) and refused to render publick thanks to God for the deliverance thereon, contrary to the *Act*, for this very reason, which some of them have rendered; That they would not mock God in publick by praising him for delivering the late King, Royal Posterity, and House of Lords from destruction then, by Jesuites and Papists, when as themselves have since destroyed and subverted them through Gods providence; and repute it a special mercy and deliverance to the Nation from Tyranny and Bondage, for

* Upon which * which they have cause to bless the Lord: Performing that ground, many of them have since solemnized the 30 of January, instead of November 5.
 * See Militiere by Victory of Truth, p. 4. to 50
 * Jer. 5. 31.
 for the Jesuites and Powder-Traitors, which themselves could not effect. The Lord give them grace and hearts to consider, how much they acted the Jesuites, and promoted their very worst Designes against us therein; what * infamy and scandal they have thereby drawn upon all zealous Professors of our Protestant Religion, and * what will they do in the end thereof?

9. (To omit all other Foreign instances cited in *Speculum Jesuiticum*, p. 124, to 130. where you may peruse them at leisure) By (d) their poisoning King James himself in conclusion, as some of them have boasted.

(d) Romes Master-piece, p. 8, 18, 19.
 Romes Master-piece, p. 8, 10, 22.

10. By the Popes Nuntio's, and a Conclave of Jesuites Conspiracy at London, Anno 1640. * to poison our late King Charles himself (as they had poisoned his Father) with a poisoned Indian Nut, kept by the Jesuites, and shewed often by Conne the Popes Nuntio to the Discoverer of that Plot; or else, to destroy him by the Scottish wars and troubles, (raised for that very end by the Jesuites,) in case he refused to grant them a universal liberty of exercising their Popish Religion throughout his Realms and Dominions: and then to train up his Son under them, in the Popish Religion; To which not onely heretofore, but now likewise they strenuously endeavour by all possible means to seduce him; as appears more especially by Monsieur Militiere his (e) late book dedicated to Him for that purpose, to invite him to the Roman Catholick Faith. Surely all these premised instances compared together, and with that memorable

(e) The Victory of Truth, Anno 1653.

rable passage of the English Jesuite **Campion*, in his Con-
certatio Ecclesie Catholicae : (or *Epistle to Queen Eliza-*
beths Councel.) *Treviris* 1583, p. 22. *Velim sciat, quod*
ad Societatem nostram attinet, omnes nos, qui per totum
Morbent longe lateque diffusi sunt, quarum est continua suc-
cessio, & magnus numerus, Sanctum foedus injisse, nec quam-
diu unus nostrum supererit, studium, & consilia nostra in-
termitturos, ad Reges Hereticos quovis modo tollendos
 (as *Hospinian* relates, and expounds his words and mean-
 ing) & Religionem vestram extinguere. *Iampridem jacta*
est ratio, & inchoatum certamen nulla vis, nullus Anglorum
impetus superabit; so as to hinder this their holy League and
 Covenant long since entred into, To destroy, take out of the
 way, ruine all Protestant Kings throughout the World, under
 the Notion of Hereticks by any means whatsoever, (and the
 Protestant Religion together with them.) With a * Copy of a
 Letter sent by an Independent Agent from Paris, some few
 weeks before the Kings removal from the Isle of *Wright*,
 by the Army-Officers, declaring the Jesuites implacable En-
 mity to the King, and to hereditary Monarchy throughout the
 World. And an Express sent from Paris to the King him-
 self, some three dayes before his seizure and translation
 from *Wright*, to this effect, (as I have heard from per-
 sons of Honour) That the Jesuites at a general meeting in
 France, had resolved, by the power of their friends in England,
 to seize on his Majesty, bring him to justice, and cut off his
 head, because he had, contrary to their expectation, closed with
 the Parliament, consented to the abolishing of Episcopacy, and
 to five new Bills against Jesuites, Popish Priests, Mass, Po-
 pery, and all Popish Ceremonies, in the last Treaty; and ad-
 vising Him, to prepare for this new storm, which within few
 days after fell upon him will sufficiently inform the world,
 that the late unparallel'd capital proceedings against our
 Protestant King, (contrary to the Votes of both Houses
 of Parliament) the Parliament Members, Peers House,
 and forced, dissolved late Parliament too, *proceeded not
 from the Principles of our reformed Protestant Religion, as
 this (f) *Monsieur* in his printed Pamphlet, would make
 his

* *Hospinian.*
Hist. Jesuitica,
l. 3. l. 214. l. 4.
l. 264.

* Printed by it
 self, and at the
 end of my Speech
 in Parliament.

* See An Apo-
 logical Decla-
 ration of the
 Province of
 London, &c.
 Jan. 24. 1649.
 (f) Page 5, 7.
 8, 18, 33, 39;
 &c.

his Reader, the young Kings; to whom he dedicates it, and all the World believe; but from the Popes and Jesuites forecited *Treasonable Opinions*, seconded with their clandestine *Solicitations* and *Practises*: and that they, with some French Cardinals, Jesuites, as well as Spanijh and English, (then present in England to promote their Designs) were the chief original *Contrivers*, *Promoters* of them, whoever were the immediate visible Instruments, as I

(g) See my Speech in Parliament, and Memoranda. The Epistle to my Just Patrons, & The Campanella De Monarchia Hispanica. See the Declaration of the secluded Members, The London-Ministers and others, Representation to the General, and the second part of the History of Independency. To their General & Officers, even in unlawful acts against the Parliament, King, Kingdom.

wiping off this Scandal from our reformed Religion, & the sincere Professors of it, who both abominated and protested against it in print. ¶ Radolphus Hospinian in his excellent *Historia Jesuitica*, l. 4. f. 244, 245. reckons up these three prime causes of the Jesuites *Regicides*, & other Notorious Treasons. The first is, that blinde Obedience, which they vow to their Superiours, to execute with great celerity, spiritual joy, and perseverance, whatever their Superiours shall enioyne them, by being perswaded, That all their Commands are Just to them; by renouncing their own Opinion and Indgement with a certain Blinde Obedience: and by believing, that those who live under Obedience, are carried and governed by Divine Providence, (a word now most in use with our Army-Saints, and Souldiers, wholly infected with this Jesuitical Doctrine of Obedience) by their Superiours, whithersoever they shall suffer themselves to be carried, or in what sort soever they shall be dealt with by them, (like a staffe in the hand of a man, which readily obeys him that holds it, wheresoever and in what thing soever he will please to use it,) especially when backed with a pretext of Necessity, Religions Safety, Publick Good, Exemplary Justice, and promoting the common Cause for which their Society was first instituted. 2. That they hold themselves obliged to no Kings, Princes, or Civil Magistrates by any Oath of Allegiance, but onely to the Pope and their Generals; and therefore think themselves free and unable to commit any Treason at all against them, although at the Popes and their Superiours commands they still rise up against, murder, or destroy them. 3. That they deem those Kings, Princes, which the Pope and Jesuites, or other

and all Zealous Protestants Freemen of England.

other learned men of their Religion, or the common people shall deem Hereticks, to be thereby wholly made incapable of any Empires, Kingdoms, or Principalities, or any other civil Dignity; yea, to be accursed Tyrants, unworthy of the name of Kings; that thereby their Subjects are totally absolved from the bond of Allegiance to them; and that thereupon it is lawful to kill and destroy them, and the murders of such are meritorious. Now that these three Jesuitical Grounds and Principles, (infused into our Army-Officers and Souldiers by the Jesuites and their Instruments of late years, against their Primitive Orthodox Positions, Protestations, Declarations, Oaths, Covenants, Engagements) backed with secret Avarice, Ambition, and Self-ends, were the principal impulsive Causes of all the extravagant violent Proceedings both against the late King, and Parliament (not the loyal Principles of the Protestant Religion) is apparent unto all the World, by the Armies own Declarations of Nov. 16. and Decemb. 7. 1648. Their True State of the Commonwealth of England, &c. 1654. and other Pamphlets for their justification, which all true Protestants blush at. Y

3. That the Jesuites ever since the Establishment of their Military Order, under Ignatius their Martial General, have been the "principal Firebrands, Bellows, Instruments of kindling, somenting, raising, continuing all the publick commotions, wars, seditions and bloody fowls that have happened in or between any Kings, Kingdoms, States, Princes, Sovereigns or Subjects throughout the Christian world; and more particularly, of all the Civil commotions, wars in France, Germany, Transylvania, Bohemia, Hungary, Russia, Poland, England, Scotland and Ireland, to the effusion of whole Oceans of Christian blood: which one poetically thus expresseth,

(h) *Quicquid in Orbe mali passim Peccante Gradatæ est,
Quicquid barbarum tempora nostra vident,
Cuncta Sodalitio mentito Namine Jesu
Accepta Historia teste, referre licet.*

(h) *Jubilæum,
five Speculum
Jesuiticum Epigramma.*

*Ita modo & vestra celebrare Eucania Secla,
Spilitis inventum, Lololana cohors.*

(i) *Häfen
müllerns
Hist. Jesuit. c. 1.
Speculum Jesu-
iticum, p. 61.*

Yea, it is well worthy observation, what *Jacobus Cruci-*
nius, a Jesuite (Reader of the Jesuites Novices at *Landsberge*)
prelumed to publish, in his *Explication of the Rules of the*
Jesuites, Anno 1584. in these words: *The Father of our*
Society ought to be a Souldier; because, as it is the part of a
Souldier, to rush upon the Enemy with all his Forces, and
not to desist, till he become a Conquerour; so it is our duty
to run violently upon all, who resist the Pope of Rome; and
to Destroy and Abolish them, not onely with Counsels,
Writings, and Words; Sed invoke etiam brachio se-
culari, Igne & Ferro tollere & abolere, sicut Pontifex
& nostra Mota (contra Lutheranos suscepta) Volunt &
Obstant. But likewise by calling in to our assistance the
secular Arm (of an Army) to take away, and destroy them
with Fire and Sword, as the Pope and our Father (taken
against the Protestants) Will and Command. And may
we not then safely conclude, they have been the Original
Contrivers, Fomenters, Continuers of all our late intestine
foreign wars, by Land and Sea, with our Christian Protestant

(k) *Excess Col-*
lection, p. 12. 10
20 97, 98, 106,
108, 107, 461,
10 465. 491,
491, 498, 508,
574, 616, 631,
10 638, 660, 10
670. 812, 10
818, 832, 834,
849, 890, 10
918, 651, 652,
653.

of both Houses aver and attest? And that many of them
have secretly crept into, and listd themselves Sould-
iers in our Armies, on purpose to put on foot their designs
against our King, Kingdoms, Churches, Religion, and
perpetuate our Civil Wars? And so much the rather,
because, (a) Alphonsus de Vargas (a Spanish Popish Priest)
informs us: That the Jesuites, being a Generation of Incen-
diaries, are so well pleased with the name of their Founder
Ignatius, derived from Fire, and signifying a Caster about
of wild-fire, or an Incendiary; that though his christned

(2) *Relatio de*
Synagoga matris
& Sophismatis
Jesuitarum, c.
4, 6, 7.

name at first was Igniculus, or Inghistias; Yet Iohannes Ense-
bius Nirenberger, a Jesuite, in his Book, De Vita Ignatii,
printed at Madrid, 1630. most falsly records, That his
Parents at his Baptism, being in doubt what name to give
him, thereupon the Infant himself, with a loud voice, said,
We

He would be named Ignatius, to signifie what office he should obtain in the Church and world, even to cast abroad fire in them, and set them all in a flame. Hereupon his Disciples the Jesuites, considering that this their founder was by his name A Firebrand, and a Shouldier by his profession, professed publicly to the King of Spain, his counsell and the world, that it was no less consonant to the mind, institution and statutes, then to the name of their warlike Father Ignatius, that they should not onely exercise, but Publicly profess and teach to others, Artem Pyrotechnicam, &c. the art how to make and cast abroad fire-balls, fire-works and wild-fire, to fire and burn houses and Cities: and likewise the art of warre, of setting Armies in battell array, of Assaulting cities, the manner of making Gun-powder, bullets, fire-balls; of casting Guns, and the manner and wayes of making all other Military works, Engines, together with rules and precepts belonging to Navigation, & omnia maritimi belli munia: and all duties and incidents belonging to Sea-fights. Upon which they perswaded the King of Spain (notwithstanding the opposition of all the Universities of Spain against it) to erect a publike University for their fiery martial order at Madrid, and to endow it with an annual Revenue of ten thousand Crowner; wherein they set up a publike Lecture concerning war and all incidents appertaining therunto, with this Printed title: *Acroasis, De re Militari; in qua præcipitur Doctrina & forma Militiæ veteris & Modernæ, & Species Mathematicum arti isti subordinatarum: quæ sunt Tactica, sive De Acie instruenda, Topographica, Machinaria Militaris, Organica Poetica, Pyrotechnica, &c.* Hanc acroasis faciet, P. Hermannus Hago. (a Jesuit) quarta pomeridiana usque ad quintam. This is the first publike Military Lecture I ever read of erected in any University amongst Christians, and Professors of the (a) Gospel of peace; who are expressly en-

(a) Rom. 10. 15

(b) Rom. 15. 33

Heb. 13. 29.

(c) Iſai. 9. 6.

(d) Mat. 26. 52.

(e) Iſai. 3. 4.

Mica. 4. 3.

(f) Cap. 7. p. 47
and C. 23. p.
131.

learne war any more. Yet such bloody incendiaries and delighters in war are the Jesuites; that they thus publicly teach others the *art of war and fire-works*, to set the whole Christian world in combustions and open warres against each other; which they have everywhere accomplished, and that upon this account: that the Gospel of Jesus is principally to be taught and propagated by armed power, exercitu & armorum usu; by an army and the use of armes (whereby they now propagate it in our Kingdomes the quite contrary way, to the ruine of our Church and religion) whereupon (f) *Vargas* passeth this just censure on them: *Hos velut Ignigenos illis Comici verbis recte quis a se amoliri, & in malitiam abire iusserit.*

Apaga illum a me; nam ille quidem Vulcani irati est filius. Quicquid tangit, Digne amovetur; si prope abster, calefacit.

And a German Frier in his *Astrum inextinctum*, gives this true Character of them: *Discordias inter suprema Republica Christiana capita seminare credimus esse veritati patrocinari; quam salvam esse negant; quamdiu Principes isti inter se non colliduntur. Hoc est flammam in Europa suscitare, sicut gloriantur Patrem societatis Ignatum, esse illum, de quo Christus dixerit, Veni ignem mittere in terram, hoc est, clasticum in aulis Principum canere, & illos inter se committere.*

(g) See Hospi-
tium. Historia
Jesuitica. l. 4.
f. 212, 213.
214. and l. 3.
throughout. Thou-
anus Hist. l. 4.

4. That the (g) Jesuites from the first erection of their Military order, have conspired, attempted to subvert and utterly extirpate (under the name of Schismatickes, Hereticks, Gospellers, Heresie, and the Gospel) all professors whatsoever of the Protestant Religion and their Doctrines throughout the world, not onely by Machivillian plots and treasons, but by war, fire, sword, holy leagues, Armies & armed power, as is evident both by their bookes and Practices. To instance in a few particulars both abroad and at home. *Franciscus Veronae Constantiensis*, a Jesuite, in his *Apology for John Castle*, Anno 1595. part 5. c. 13. resolves, *That all wars to extirpate hereticks (Protestants) are lawfull, yea more lawfull then against*

against all other Infidels, because Heresie according to Gods word, is worse than all Infidelity. And if war be just against Hereticks, how much more just is it against the head of the Hereticks? And if it be just to extirpate hereticks, call Kings out of all Christian Kingdoms (which the Jesuits entered into an holy League to effect, as you heard before out of Campian) What much more just is it in the most Christian Kingdom (France) to root out King Henry the 4th (whom they not onely warred against, but stabbed and murdered as aforesaid.) (h) *Thuanus* (h) Geneva, Historiz, l. 65. p. 238. and lib. 67. 299. records; That it is the opinion and Sentence of the Jesuits, that it is a pious and wholesome thing, that all Christians should lay violent hands upon Sectaries and Protestants, ought to be armed against them, and to make no peace, keep no faith nor truce with them; yea, that it would be more profitable for the Church, and more conducing to Gods glory, for all Christians to give over their wars they wage against the Turkes by common consent, and to let the Turkes alone, and to turn all their arms and forces against the Evangelical Hereticks (or Protestants) which live amongst them; who are worse, and ought to be more odious to true Christians then Turkes; and utterly to destroy and persecute them to death, rather then to delete the unbelieving Mahometans, who are not so dangerous as they. Hoc quàm pie, et juxta mansuetudinem Christianam dicatur, ipsi qui conscientias aliorum moderantur, conscientiam suam rogant; Subjoynes *Thuanus*, though a Papist. And *Joannis Paulus Windeck*, in his Book De extirpandis Hæres. antid. 10. p. 404. 412. antid. 11. p. 480. and p. 244. positively determines. That the Lutherans and Calvinists are to be persecuted with wars, and not onely to be terrified, but likewise deleted, cut off, taken out of the way, and utterly extirpated with arms and flames. That all Catholike Princes ought to enter into Holy leagues, associations & confederacies, to destroy and root them out, as they did in France, Anno 1587. That the opportunity is not to be neglected, namely, Quando Potestantes pecuniis exhausti sunt; when the Protestants Purves and money are exhausted (as they are now amongst

(h) Geneva, 1610.

* The these plead for a Toleration among us, and enjoy it.

No. 4.

us by excessive endless Taxes, Bribes, Civil wars, and a perpetual army too much swayed by Jesuitical counsels, to eat us out, and ruine us with our Religion in conclusion, (credibanded.) And that the Catholikes may more easily oppress and destroy these Sectaries, they are to be severed one from, and divided against each other, by sundry various arts and means, and all occasions laid hold on for this purpose. (And are we not so now in all our Realms and Dominions more then ever, by the Jesuites and Romish Emissaries?) Which the Emperor Charles the 5 observed (in his proceedings against the Protestants in Germany) to his great advantage. In pursuance of these Jesuitical (i) Positions,

(i) Richardi Dinotbi Historia de bello Civili Gallie, 16. p. 151. &c. The General History of France, p. 778. 779. Holpinian. Historia Jesuitica f. 149. 150. Thuanus Historia. l. 63.

Anno 1576; and 1577. the King of Spain, Duke of Guise, with sundry others, Jesuited English Princes, Nobles and Papists of all degrees, by the Jesuites instigation, and Popes speciall approbation, entered into a bloody Conspiracy, or holy League, as they term it: To restore and retain the most holy worship of God, according to the form and manner of the holy catholike Apostolike Church of Rome: to abjure all errors or corruptions contrary therunto, &c. To spend not onely all their Estates, but lives, to repeal all publique Edicts in favor of the Protestants and their associates; to extirpate All Heresies, hereticks, and pursue all such as publick enemies, with fire and sword to death, who should any way oppose or withstand this League, or refuse to joine with them in it; or fall off from it upon any pretext after this Oath to observe it. Which League they several times renewed; and in the (k) renovation there-

(k) Dinotbi, Peter Mathew, Thuanus General History of France, Metternus; and others,

of Anno 1598, the Jesuits openly boasted, That they would use their utmost endeavours, that before the year 1600. be- gan, (So they termed the Protestant Religion) *Maleficus ex quo toto extirpetur*; Should be clean extirpated out of the whole world. The Massacres Slaughters of how many thousand Protestants by open intestine wars and bloody Conspiracies, this League occasioned in France, Germany and the Netherlands, together with the murders of two French Roman Catholike Kings, the (l) French and Belgick Histories of those times, will sufficiently inform the Reader. (m) In the year 1603, the Jesuites erected a new

(l) Speculum Jesuiticum, p. 92.
(m) Metternus Historia. l. 23.
Speculum Jesuit. p. 100.

Col-

Colledge and Society at Thonow in Savoy, so convert or utterly extirpate the Protestants, under the Notion of Heretickes.
 1. by *Preachings*. 2. by *pious frauds*. 3. by *Mi armata*: by force of *armes*: to which new Society, many *Papish Kings*, *Nobles* and others, gave their names; and in June that yeare lifted above 25000 expert Soldiers, all *Roman Catholickes*, to pursue their Designe against the Protestants in execution upon the next opportunity: there being above 50 *Jesuites* disguised in *Lay-mens habits* employed in England, to stir up the *Papists* and people there to joyn with them in this new Association, to root out the Protestants in all places by the Sword, the Principal Engine used by these Ignatians to effect it. To pass by (n) all the conspiracies and attempts of the *Jesuites* in *Queen Elizabeths* reigne, to extirpate our Religion and the Professors of it by open wars, *Rebellions*, *Spanish* and *forraign invasions* both in *England*, *Ireland* and *Scotland*, recorded by *Mr. Cambden*, *Speed* and others in her life; and *William Watson* in his *Quadrilater*; with their attempts of like Nature in the beginning of *King James* his reign, recited in the Statutes of 3. *Jacobi*, c. 2. where all may peruse them; I shall onely acquaint you; That a little before the beginning of our late bloody wars, Divisions, (contrived, fomented by the *Jesuites* and *Papists*, as I (o) have elsewhere at large, discovered, and (p) many *Parliament-Declarations* attest) one *Francis Smith* an *English Jesuite*, openly affirmed to *Mr. Waddesworth* and *Mr. Taxil*, That it was not now a time to bring their Religion by disputing or Books of controversy, but It must be done by an Army, and By the Sword. And it is very considerable, That when the *Jesuites* *Spanish* and *Romish Agents* had engaged the King and *English Protestants* against their *Protestant Brethren* of *Scotland*, 1639. to cut one another throats; the King of *Spain* had provided a great new *Spanish Armado* by the *Jesuites* solicitation, and a great Land-Army of old *Spanish Soldiers* to invade the *Western* and *Southern parts* of *England*, then destitute of all forces, Arms & Ammunition to defend it, all drawn to the *Northern parts* against the *Scots*; and to joyn with the *Papish confederates* here, to extirpate the *English hereticks* and

(n) See *Hopkinson's Historia Jesuitica* l. 3. f. 160. 161. 162.

(o) *Hidden* *works of darkness* brought to *publick light*. *Romes Master-piece*, *Canterburys Doome*.

(p) *Exalt Collect.* p. 651. 652. 661. 668. 813. 10 832. 902, 10 920.

(q) *The Royal
Popish favou-
rite* p. 58, 59.
*Hidden works
of darkness
brought to light*
p. 198.

(r) *The Royal
Popish favou-
rite.* p. 58, 59.
*Hidden works
of darkness*
p. 198.

Nota

* *Exact Collect.*
p. 12, 13.

(s) *Hidden
works of dark-
ness brought to
publique light.*
p. 189. to 199.
and *Romes
Madder-Piece.*

(t) See the
Kings declara-
tion concerning
that Treaty,
*Hidden works
of darkness.*
* *Speculum five
Jubilaeum Je-
suiticum.*

and Protestants: which designe of theirs, through the *Hol-
landers* unexpected encounter, which scattered their
fleet upon the *English Coasts*, and the *Pacification* with the
Scots, before any engagement of both Armies, was happily
prevented. That this Spanish Fleet was then especial-
ly designed for *England*, appeares (besides other Eviden-
ces, which I have (q) *elsewhere* touched) by the confession
of an *English Pilot* in that *Nav* upon his death-bed, mortally
wounded in the first fight, to an *English Minister* and others, to
whom he revealed it out of conscience; by some Letters I have
met with; and by a Pamphlet made and printed by the
Jesuites, Anno 1640. intitled (r) *The Jubilee of the Je-
suites*, taken from a *Papist at Redriffe*, and presented by
Sheriffe Warner to the whole *Commons House*, November
14. 1640. Wherein among other Passages then read in the
House, (entred in the *Journal* of that day, out of which
I transcribed them: there was a *Particular prayer*, for the
holy martyrs that suffered in the fleet sent against the
Hereticks of England, 1639. with this advice; That the
Papists must stie in troubles waters, (to wit, whiles that
The King was engaged in the wars against the Scots:)
with * certain prayers added, for their good success in that
Designs against the Scots. For the more effectually carry-
ing on whereof, the *Popes Nuncio*, with the (s) *Colledge
of Jesuites* then in *Queen-street*, secretly summoned a kind of
Parliament of *Roman Catholicks* and *Jesuites* in *London*, out
of every County of *England* and *Wales*, in which Came the
Popes Nuncio late *President*, by the *Queens commission* and
direction, in April, 1639. Who granted and collected an
extraordinary large Contribution, by way of *Subsidy*, from the
Papists, to carry on this war against our *Protestant Brethren
of Scotland*, and raise forces to joine with the *Spainards*, whom
they then expected, to cut the *English Protestants* throats.
The Jesuitical and Prelatical Popish party much displeased
with the defeat of this their Plot, by the unexpected
Pacification with the *Scots*, 1639. induced the King soon after
to break and revoke it, (t) Anno 1640. (the very year of
the * *Jesuites Jubilee*, which they solemnized in all places,
being

being the 100. year from the first Erection of their Order by Ignatius; Anno 1540.) they caused a new Army to be raised and sent into the North against the Protestants of Scotland, to subdue & destroy them. At the same time they secretly ^(u)listd an Army of no less then 7000. Romish Catholicks, kept in private pay, of purpose To cut the Protestants throats who should resist them; and to Conquer the Protestants in England first; and then in Ireland; which ^(u)Hidden works of darkness p. 225. 226. (Canterburie Doom. p. 459. Designe they were to put in execution, when the Pope or his Legats, with the Spanish, French and Venetian Ambassadors should appoint; who designed them to begin to execute it, When the King went into Scotland against the Scots; as O Conner (the Queen-Mothers Priest) confessed to Anne Hussey, who justified it to the Lords of the Council then, and afterwards, before the Lords in Parliament upon her Oath. The Jesuites were so confident of the good success of their designs amongst us, and complete Victory over all the Protestants throughout the world this year^{*} of their Jubilee (making^{*} Triumph over their Enemies; one of their Notes of the true Church) that (x) they appointed a solemn Enterlude to be acted by their Society in the publique Hall at Aquisgran in Germany, in honour of their Jubilee: wherein they signified to the people, by primed Tickets and Pageants, that the Popish Church of Rome should be brought in upon the Stage, happily fighting against, triumphing and reigning over all her enemies every where throughout the world, in all ages till that present day, and especially of later times, by their means. The beginning of this Enterlude being happily acted, and succeeding according to their minds; at last there were two Armies of soldiers brought by them upon the Stage, ready to encounter each other: the one of Jesuites and Papists, fighting for the Church of Rome; the other, representing the Protestants warring against her. Before their fight, a Jesuitical actor, clad in black, personating a Popish Masse-Priest, divineth good success to the Popish Army, praying for it with an affected devotion and solemn invocation (or rather profanation) of Gods name: after which, the Popish Army of actors, as being certain of the instant victory,

Nota.

* See Bellarmin. de Nois Eccl. Not. 19.
(x) Speculum sive Jubilaeum Jesuiticum. p. 220. to 224.

uttered.

uttered these words to their Captain (as their parts directed them) with a loud reiterated voyce and shout; *Perent, Perent, Antiquis est hostis Ecclesiae: Let him perish, let him perish, whoever is an enemy of the Church: whereupon a great part of the Stage on which they acted, together with the whole Popish Army (not one Souldier or Captain excepted) at the repeating of these words, and wishes, fell to the ground immediately, with so great celerity, that many of them felt they were fallen down, before they discerned themselves to fall; their feigned enemies of the Church (representing the Protestants) standing all fast, at least in place, if not in mind, on the other part of the Stage which fell not at all. With this sudden fall, many of the Popish Army were bruised in peeces with the beams of the Stage falling upon them; who through pain and horror, needed Monitors to silence their outcries; others having their bones broken and Limbs put out of joint, were carried to the Chirurgeons to be dressed; and all the rest confounded with shame, crept away secretly under the Veils to their Lodging. And so this Jesuitical Enterlude, by divine justice, ended in a real unexpected bloody Tragedy and real rout of the whole pretended victorious Popish Army of Jesuites: stand the Scottish Wars that yeer (which they so much depended on) through Gods mercy, concluded in a blessed Peace and Union between both Nations. Whereupon, the (y) Irish Popish Rebels, by the Jesuites Plots and instigations, seconded with secret encouragements, and promises of assistance with Arms and Money from Cardinal Richlieu, the King of Spain, Pope, and other forraign Popish Princes, undertook the late horrid bloody Massacre of all the Protestants in Irish R. bellion, land, and surprisal of all the Forts, Castles, Arms and Ammunition therein, on the 23 of October, 1641. (z) being Ignatius Day, the Founder and Now Canonized Saint of the Jesuited Society, for the greater Honour of their Patron, Order; they being the skief Plotters of this horrid bloody Traison. Which horrid Conspiracie, though happily discovered the night before its execution, at Dublin, and some few places else; yet it took effect in most other parts of Ireland, to the slaughter of neer two hundred thousand Protest-*

(y) See Hidden works of darkness brought to publike light, p. 219. to 250.

The Rise and Progress of the Irish R. bellion, and others.

(z) Hidden works of darkness, p. 243.

and all Zealous Protestant Freedom of England.

Protestants there, in few words space; seconded with a bloody Warre, for sundry years; to the loss of many thousands more lives. To this Plot ^{* hidden words} all the Papists in England were privy, who intended the like Massacre in England; and soon after by ^{of Sh. 1611, p. 216.} the Popes and Jesuits instigations, by the assistance of ^{* Exall Coll. p. 662, 666, 813 to 832.} Popish Princes, they engaged the King and Parliament in a long, lasting bloody unchristian war against each other, concluding in the Kings and Parliaments joint ruines by an Army raised for their mutual defence, seduced thereunto through the Jesuits instigations and policies. After which, they engaged the Protestants of England and Scotland (formerly united by the strictest Bonds and Covenants against them) to war upon, invade and destroy each other by land; and soon after that (by the Spanish ^{* Agents Assistance}) raised a most dangerous bloody Warre between our Protestant old Allies of the Neiterlands and the English by Sea; to the infinite damage, prejudice of both, and the effusions of whole Oceans of the Gallantest Christian Protestant blood, that ever yet was shed, the expence of more treasure and men in these intestine Wars, than would have conquered all Spain, Italy, and the Indies, had they been employed upon such a design; and to the entailing of a "perpetuall Army on us and our Posterities, more ready as we have of late years found by sad experimenes) to hearken to the Jesuits clandestine suggestions, seductions, and execute their pre-plotted Designs to ruine our Kingdomes, Parliaments, Laws, Liberties, Mannerly, Church, Religion, then to follow the Advice, Votes, Counsell, Directions, Commands of our Parliaments, Kingdomes, and the best affected Protestants of all ranks; who first raised, and have so long maintained them, for quite other ends (hereafter touched) then what they (of late times) have most pursued, to the Popes and Jesuits great content.

5. That the Jesuits have endeavourd, attempted the convulsion, concussion, subversion not only of the Empires, Realms, and ancient settled Governments and States of Germany, Russia, Bohemia, Hungaria, France, Poland, but likewise of England, Scotland and Ireland, and to new model them

* See Tho. Campanella de Monarchia Hsp. c. 25, 27.

* See the 29 Article of the Instrument of Government.

* *Erast Coll.*
p. 3, 4, 461, 462
491, 497, 498,
917, 631.

into * other Forms of Government. What mould of Government they intended to cast England into, is thus long since described by *William Watson* (a secular Priest) in his *Quodlibets*, Anno 1602. page 309, 310, 330, 331. + England is the main chance of Christendome at this present, by seditions, factions, tampering and aspiring Heads: the onely But, Mark, White, the Jesuits aim at, as well in intention as execution of their pretended expedition, exploit and action. I am of opinion, that no man on earth can tell what Government it is they intend to establish, ratifie and confirm, when they come to their preconceived Monarchy; no not any of their Plot casters. No question it is, but their Government shall be as uncertain as their New conceived Monarchy; their Monarchy as mutable as their Reign, and their Reign as variable as the Winde; or Proteus in his Complement. But no question is to be made of it; but that the Government they do directly intend at this present is, A MOST ABSOLUTE SOVERAIGNTY, DOMINION AND STATE, CLEARLY EXEMPTED from any subordination, TO ANY LAW or Legisfer divine or humane; and therefore it is rightly called DESPOTICON in the highest degree of exemplary immunitie; * IMPERIALITY AND ABSOLUTE REIGN, RULE AND AUTHORITY, as containing in it three sorts of Government; Scil. Monarchical, Aristocraticall, Democraticall, in matters of Counsell and managing of Common wealth causes; not in point OF REGALITY, HONOUR AND INHERITANCE; For there shall be neither Title, nor Name, nor Honour given, taken or done to any Prince, Duke, Marquesse, Earl, Viscount, Lord, Baron, or the like, (all the Jesuitical Governours being Puritan like, Seniors, Elders, Provincials, &c.) neither shall there be any successions by Birth or blood, TO ANY HONOUR, OFFICE OR MAGISTRACY from the Monarch, Pater General, to the Minor, Pater Minister, but ALL SHALL GO BY * ELECTION OR CHOICE. Whether our late and present variable floating New moulded Governments have not been cast by this long since predicted Jesuiticall Mould

* Is not ours so
now?

* See the New
Government of
the Common-
wealth of Eng-
land, Artic. 27.
26, 27, 28, 34.
42.

Mould, let wise men, with all our late, yea present Governours, now sadly consider and determine. X

6. That the * Jesuits in a publique Disputation held at Madrid, published by them under this Title: *Conclusiones Politicæ sub Regis Domini nostri presidio*, instructed the King of Spain (their Chief Protector, * whom they most extoll above all other Kings, to promote both his universall Monarchy and their own thereby.) That in relation to his Empire, Power was necessary, which power they desired to be: A faculty, not onely of retaining the Kingdomes he already possessed, but likewise of acquiring other mens. Perswading him by this Doctrine to believe: That he was therefore consecrated a Catholike King by God, that he might enjoy a faculty, not onely of keeping his own, but also OF INVADING AND SEISING UPON OTHER MENS DOMINIONS. For to retain ones own, was the praise onely of a private family: *DE ALIENIS CERTARE REGIA LAUS EST*: but it was a Royall praise to fight for that which is other mens: *NEC REGNARE DI CAUSA JUS VIOLARE CRIMEN EST, DUM CÆTERIS REBUS PIETAS COLATUR*: Neither is it a Crime to violate Law or Right, to reign or gain a Crown, whiles that Piety in other things shall be observed. Which Jesuitical Machivillian unrighteous Doctrine, though (as *Alphonſus Vargas*, a Spanish Popish Priest resolves) it be diametrically contrary to the doctrine of our Lord Jesus himself, instructing men, that ** aliena obtinere non Potentis Principis, SED IMPOTENTIS AC VIOLENTI PRÆDONIS EST*: Yet the Jesuites and their Instruments of late years have sufficiently propagated it amongst our English Grandees and Army-Saints; for a most sacred Oracle, as their violent invasions of other mens Realms, Powers, Offices, Pallaces, Lands, Estates, and Possessions of all kinds, by meer armed power and might, demonstrate beyond contradiction.

7. That the * Jesuites in their Book, *De Zelo S. Ignatii in Religione sua instituenda*, printed at Madrid, p. 143.

**Alphonſi de Vargas Relatio cap. 5. Speculum Juris p. 217. 218, 219.*

** See Joh. 10. 1. Ezec. 18. 5. 10. 14. Levit. 6. 1. 4. Job 20. 19. 20 c. 24. 2. 101. Obad. 5. Jer. 49. 9, 10.*

**Alphonſi de Vargas relatio c. 5. 7. see c. 2. 3. 16, 18, 19. 56, 57. & Hispanian Historia Jesuitica, 206.*

* Hidden
works of dark-
ness brought to
publique light,
p. 203, 204.

do-glory; Hoc Societatis proprium esse; ut quotidie novas
promat inventiones quibus homines ad Deum perducantur:
That this is the property of their Society, that it DAI-
LY BRINGS FORTH NEW INVENTIONS, where-
by men may be brought home to God (that is, to their
Religion and Society) the principle whereof they, and
Vargas record, to be these. Their persuading of men to
embrace the Gospel, by AN ARMY; the use of ARMES,
Power, Terror, Fire: Their Exercise of Merchandize
(which many of them in most places & in * England too,
now use, they being very great Merchants, Factors, and
Returners of Moneys by Bills of Exchange) and of all
other Secular Employments, Callings, in Lay-mens ha-
bits, the more easily to insinuate themselves into all
Countries, Places, Companies and Societies of men to
infect, seduce, and discover their secrets, according to
this their received Maxime; JESUITA EST OMNIS
HOMO: a Jesuit is every man: that is, a man of all
Professions, Callings, Sects, Religions to effect his ends:
Their questioning, traducing, oppugning, censuring of
all the Articles of the Apostles Creed, and received
Principles, Doctrines of Christian Religion; corrup-
ting, slighting, falsifying the Scriptures themselves, to-
gether with Councils, Fathers, Schoolmen, and all
other Divines; but those onely of their own Order,
which they incomparably extoll above and prefer be-
fore all other: Their venting of new Opinions, No-
tions, Revelations, Expositions, Crochets, Heresies,
Problems, both in Divinity itself, and all other Arts
and Sciences in the Presse, Pulpit, Universities, Schools.
And if these (as Vargas assures us) be their properties and
new inventions to propagate the Gospel, and draw men
unto God (which our Lord Jesus himself and his true
Disciples were wholly ignorant of) may we not certain-
ly conclude, that they have of late years been extraor-
dinary busie at this their busie work amongst us, and
more especially in spreading their Gospel by AN AR-
MY, and taking upon them the use of ARMES, in intention

and all Zealous Protestant Freemen of England.

of their Military Father Ignatius, with all other secular Employments, and New Sects to draw Profelites and new separate Congregations to them, throughout our Realms, to destroy both our Church Discipline and Religion, as well as our Civill Government and Laws?

8. That as the whole *House of Commons* in their *Re-* *Exact Collec-*
monstrance of 25. December 1641. charge the Jesuites, *p. 3, 4 & c.*

and late Jesuited Court-Counsellors, with a Malignant and pernicious designe, of SUBVERTING THE FUNDAMENTAL LAWS and Principles of Government upon which the Religion and Justice of the Kingdom are firmly established.

So William Watson a Secular Priest, chargeth Father Parsons, the English Jesuite, and his Jesuited companions, in their Memorial for Reformation of England, when it should be reduced under the power of the Jesuites (as Parsons was confident it would be, though he should not live to see it) written at Sevil in Spain, Anno Dom. 1590. that they intended to have Magna Charta, with our Common Fundamental Laws and Liberties, abrogated and suppressed: thus expressed by William Watson in his Quodlibets, pag. 92, 94, 95: Father Parsons and the Jesuites in their deep Jesuited Court of Parliament, begun at Styx in Phlegeton, have compiled their Act in a compleat Volume,

intituled: THE * HIGH COURT OF REFORMA- ** Quere, where*

TION FOR ENGLAND. And to give you a taste of *ther the High*

their intent by that base Court of A TRIBE of TRIAL- *Courts of Justice*

TORS sawcily (like to Gade, Jack Straw, and Tom Tiler) *had not its*

USURPING the AUTHORITY of both STATES, EC- *title from hence*

CLESIASTICAL and TEMPORALL in all their RE-

BELLIOUS ENTERPRICES: these were principall

pointes discussed, set down, and so decreed by them, &c.

He first mentions three of them relating to * Church-

men, Scholars, and Church and Colledge Lands, which

were to be put in Fecrosse hands, and they all to be re-

duced unto Arbitrary Pensions, &c. And then proceeds

thus to the Fourth. The fourth Statute was there made

concerning the COMMON LAWS of this LAND, and

that consisted of this one principal point, That, ALL

Exact Collec-
p. 3, 4 & c.

** Quere, where*
ther the High
Courts of Justice
had not its
title from hence

How Watson
Dialogue be-
tween a secular
Priest and Lay
Scalderman

printed at
Abrons, 1601,
p. 95.

'THE GREAT CHARTERS of ENGLAND MUST
'BE BURNT; the manner of holding Lands in Fee
'simple, Fee tail; Kings service, Soccage or Villanage,
'brought into villany, scoggy and popularity; and in
'few, the Common Law must be wholly annihilated, abolished,
'and troden down under foot, and Cæsars civill Imperials
'brought amongst us, and sway for a time in their pla-
'ces. All whatsoever England yeelds, being but base, bar-
'barous, and void of all sence, knowledge, or discretion
'shewed in the first Founders, and Legisers; and on the
'other side, all whatsoever is or shal be brought in by these out-
'casts of Moses, staine of Salom, and refuse of Lycurgus, must
'be reputed for metaphysical, seme-divine, and of more excel-
'lency than the other were. Which he thus seconds, Quod-
'libet 9. Article 2. p. 286. First, it is plain, that Father Par-
'sons and his Company (divide it amongst them how
'they list) have laid a plot, as being most consonant and
'fitting for their other Designments, That the Common
'Laws of the Realm of England must be (forsooth) either
'abolished utterly: or else, bear no greater sway in the Realm
'than the Civil Law doth. And the chief reason is, for that
'the State of the Crown and Kingdome by the Common Laws is
'so strongly settled, as whilst they continue, the Jesuites see
'not how they can work their wills. And on the other side,
'in the Civil laws, they think they have some threads,
'whereby they may patch a cloak together to cover a
'bloody shew of their Treasons for the present, from the
'eyes of the Vulgar people. Secondly, the said good Fa-
'ther hath set down a course how every man may shake off
'all authority at their pleasures, as if he would become a new

* And is not
this the chief
Reason of their
late endeavoured
alterations?

* And was not
this the very
principal engine
lately used to
alter our old
Fundamental

Government, call off the King, and divorce his Posterity of their three Kingdoms witness
the Armes printed Declarations, and the Junctures Voties in pursuance of them, Jan. 3.
1648. See Also Tewel Peter by John Rogers.

gative

and all Zealous Protestant Freemen of England.

gative, as that it may be lawfull for them, when they think meet, to place and displace Kings and Princes, as men do their Tenants at will, hirelings or ordinary Servants. Which Anabaptistical and abominable Doctrine, proceeding from a turbulent tribe of Traiterous Puritans, and other Hereticks, this treacherous Jesuite would now joist into the Catholik Church, as a ground of his corrupt Divinity. And p. 330. 332. He intends to alter and change all Laws, Customs, and Orders of this Noble Isle. He hath prejudiced the law of Property, in instituting Government, Governours, and Hereditary Princes to be, *BENEPLACITUM POPULI*, and all other private possessions, *ad beneplacitum sui, &c.* Whether any such new deep Jesuitical Court of Parliament, and high Court of Reformation for England, to carry on this old Design of the Jesuites against our Laws, hath been of late years sitting amongst us in or neer Westminster, or elsewhere, in secret Councels every week, as divers intelligent Protestants have informed me, and ** Hugh Peters* reported to divers on his own knowledge (being well acquainted with their Persons and practises of late years) it concerns others neerer to them, and more able then I to examine. Sure I am, a greater man by far then *Hugh Peters*, in an Assembly of Divines and others, for reconciling all dissenting parties, not long since ** averred* to them on his own knowledge: That during our late innovations, distractions, subversions in Church, State, and overturning of Laws and Government, the common adversary hath taken many advantages, to effect his designs thereby in civil and spiritual respects. That he knew very well, that Emissaries of the Jesuites ** never* came over in those swarms, as they have done, since these things were on foot. That *DIVERS GENTLEMEN CAN BEAR WITNESS WITH HIM*, that they had a *CONSISTORY AND COUNCEL ABROAD*, THAT ** RULES ALL THE AFFAIRS OF THE THINGS IN ENGLAND*. That they had fixed in England, in the limits of *most Cities* deals (of which he was able to produce the *PARTICULAR INSTRUMENT*) an Episcopal power, with

** A great stickler against our Laws and a promoter of this Jesuitical design.*

** This he hath since this Epistle penned, affirmed in a printed speech in the Painted Chamber before a greater Assembly, Sep. 4. 1654 p. 16, 17.*

** The more shame for those who suffer it?*

** Therefore of the army and others Rules by this clear publick confession in print.*

Arch:

* At amongst o-
 they, Eleazar
 and Joseph Bar
 Iſaiab, 2 chea-
 ting Impostors
 and Villains,
 who have bea-
 ted good people
 of some thou-
 sands of pounds
 The 1 of them
 would have for-
 tibly ravished
 a maid in
 March last, &
 fled away in
 the night to a
 void apprehen-
 sion, from Durs-
 ly in Gloucester-
 shire. He confe-
 sed in his drink
 he was a soul-
 dier in Prince
 Ruperts army.
 * 3 Jac. c. 1, 2.
 The assign-
 ment of trai-
 tors, Speed,
 Stow. 3. Jac.
 * Romes Master
 piece p. 8. & c.
 13, 24. Hidden
 works of dark-
 nesse brought
 to publike light
 p. 189. 190.
 196. 202. 211.
 253, 254. Ex-
 alt Collection
 p. 12. 13.
 Canterburies
 Doom p. 453.

Archdeacons and other persons, to pervert, seduce,
 and deceive the people: And all this, whiles we were
 in this sad and deplorable distracted condition. Yea,
 most certain it is, that many hundreds (if not some
 thousands) of them, within these few years, have been
 sent over from Forraign Seminaries into England under
 the disguises of * converted Jews, Physicians, Chyrurgions,
 Mechanicks of all sorts, Merchants, Factors, Travellers, Soul-
 diers, and some of them particularly into the Army; as
 appears by the late printed Examination of Ramsey the
 Anabaptized, New-dipped Jesuite, under the mask of
 a Jewish Convert, taken at New Castle in June 1653.
 and by sundry severall late instances I could name.
 To pretermitt all instances of diverse particular Jesuites
 come over into England, not only within these few years
 but moneths, discovered by persons of credit, with Sir
 Kenelm Digby; who though the son of one of the executed
 old popish Gunpowder Traitors; a dangerous active seducing
 Jesuited papist, if not a professed Jesuit; * who in the years 1638
 and 1639. conspired with the Popes Nuncio and a Conclave of
 Jesuites sitting in Council at London, to subvert our Religion,
 introduce a universall tolleration of the popish Religion in our
 kingdome, new molde and shake our former established govern-
 ment, and to poyson, destroy the late King himself, in case he con-
 sented not to them therein: and for this very purpose, both plot-
 ted, raised, promoted the first Wars between the Protestants of
 England and Scotland, which he abetted all he could, by his
 letters and secret Collections of moneys from all the Papists
 throughout England and elsewhere, who largely contributed to
 this war and designe: for which he, Sir John Winter, Master
 Mountague and others (who had a hand in this conspira-
 cy) were convicted and brought upon their knees at the Com-
 mons House-bar, Jan. 28. 1640. upon which he retyring
 into France was about May 1645. sent as a speciall Embas-
 sadour from the Queen to the Pope of Rome himself, to soli-
 cit him for ayds of monies, men, arms, against the Parliament,
 Whereupon

is first audience, he had the best reception, and fairest Promises of Aid in general that could be wished; writing hopefully of supplies of Honeys from Rome to the Queen and others, as both Houses of Parliament in their (c) Declaration and Letters, (published 26 March 1646.) proclaim to all the world) and likewise good Hopes of (d) a Cardinals Cap for himself, or the Lord Aubeny, or Mr. Mountagne, for which he and the Queen solicited. After that, upon his return from Rome, he was sent over into England about Decemb. 1648. as (e) a fit instrument to New-mould us into a Commonwealth, and promote the violent Proceedings of the Army-Officers and their Confederates (set on work by the Jesuits and their Agents,) against the late King, Parliament, Members: where, upon his arrival, he was, instead of being apprehended and brought to justice for the premises, hugged by some Grandees whom he courted, permitted to ride and walk about at large, while the Members were under strict guards and restraints; frequently repaired to Whitehall, where he was well received; his Sequestration totally taken off, without any Fees or gratification, by Special order; and himself now at last permitted to lodge not only in Widemans House, (where the Queens Capuchins formerly resided) but sometimes in Whitehall it self; to the admiration of many understanding Protestants, who justly suspect, he hath there more disguised Jesuits to consult with, and promote both their old and new designs against our Church, State, Religion, Laws, Liberties, till they have brought them and us to utter ruine. I shall for brevity sake acquaint you with one memorable general instance, discovering what swarms of Jesuites are now amongst us, under other visors. An English Protestant Nobleman (a person of honor) whose Ancestors were Papists, being courteously entertained within these two years at Rome by some eminent Jesuits, in their chief Colledge there, was brought by them into a Gallery having Chambers round about it, with Titles over every door for several Kingdoms, and amongst the rest, one for ENGLAND. Upon which, he enquiring of the Jesuits, what these titles signified; was answered by them, That they were the Chambers of the Provincial Jesuits, of each Kingdom and Province (written over the respective doors) wherein they had any members of their

(c) A Collection of Ordinances, &c. p. 831, 832, 833, 851, 852, 858, 869.

(d) Hidden Works of Darknes, &c. p. 252, 253, 254.

(e) See the Letter in the Appendix to my Speech in Parliament, & Relation of the Armes Proceedings against the Members: The II. Part of the History of Independency.

society now residing, who received all Letters of intelligence from their Agents in those places every week, and gave account of it to the General of their Order: That the Provincial for England, lodged in the Chamber over which the title ENGLAND was written, who could shew him the last news from England; which he desiring to see, they thereupon knocked at the door, which was presently opened: the Provincial being informed who & what the Lord was, read the last news from England to them. Hereupon the Nobleman demanded of them. Whether any of their society were now in England? & how they could stay with safety, or support themselves there, seeing most of the English Nobility, Gentry, and Families that were Papists, were ruined in their estates, or sequestered by the late Wars & troubles, so as they could neither harbour, conceal nor maintain them, as they had done heretofore? They answered, It was true; but the greater the dangers and difficulties of those of their society now in England were, the greater was their merit. And that they had then above fifteen hundred of their Society in England, able to work in several Professions & Trades, which they had there taken upon them, the better to support & secure themselves from being discovered; (who, together with some Papish Priests and Friars no doubt, upon diligent inquiry will appear to be the * chiefest Speakers, Quakers, Disputers, Seducers, Rulers in most separate Congregations, and the principle broachers of all New Opinions, Blasphemies, now abounding amongst us.) This Relation I have heard from the mouth of a Reverend Divine more than once; to whom this Noble Lord, upo his return into England not many Months since, seriously related the Premises, averring the truth of them upon his Honour. Yet for all this, since the stupendious pretended repeals and annihilations of the Oaths of Supremacy and Allegiance, & that of Abjuration of Popery (consented to by the late King in the 11th of ~~Wight~~); purposely made for the better detection and prevention of Jesuites, and their treasonable forementioned practises against our Church, Kingdoms, Princes, Religion, Parliaments, and Government, by the wisdom and zeal of our best affected vigilant * Protestant Parliaments; I can neither hear nor read of any effectual means, endeavoured or prescribed by any in power, for the discovery of these Romish In-

Notes

* See the Quakers unmasked.

* 1 Eliz. c. 1.

9 Eliz. c. 1.

3 Jac. c. 1, 2, 3;

5. 7 Jac. c. 6.

bed by any in power, for the discovery of these Romish In-

minaries,

nizaries, or banishing, seretting, and keeping them out of England, where they have wrought so much mischief of late years, and whose utter ruine they attempt: nor any incouragement at all given to the Discoverers of their Plots and Persons; but many affronts and discouragements put upon them, and particularly on my self, lately mewed up close Prisoner, under strictest Guards in remotest Castles, near three years space (without ** any Accusation, hearing or particular cause yet assigned or disclosed to me, though oft then and since demanded by me from my Imprisoners*) whiles they all walked abroad at large, of purpose to hinder me from any discoveries of their practises by my Pen, where as they printed, vended publickly here in England above 30000 *Papish* Books of several kinds during my imprisonment, without the least restraint, to oppugne our Protestant established Religion (as many of them do in *terminis* as most damnable Heresie) propagate the Jesuites Plots, and antichristian Romish Church and Religion amongst us, as you may read at large in the *Stationers Beacon fired*; which seasonable book, and Discovery of these Romish Emissaries books and plots, some ** Officers of the Army*, in their *Beacon quenched*, publickly translated in print, as a *New Powder-Treason* of the *Presbyterian Party*, to blow up the Army, and that pretended *Parliament* (of their own erection) which themselves soon after blew up and dissolved in good earnest, pleading for a free Toleration of such *Papish Books*, and all Religions, as agreeable to the *Armies Engagements and Principles*; to carry on their designs against our Religion and Laws. But most certain it is; there hath been of late years not only a *General Council of Officers of the Army* sitting many moneths together in Council, to ** alter and new model all our ancient Laws and Statutes*, in pursuance of *Father Parson's* design; but likewise two *Conventicles* of their own selection and election, sitting of late in the *Parliament House at Westminster*, assuming to themselves the Name, and far more than the Power, of the *Parliament of the Commonwealth of England*; together with the transcendent ambitious Title of *The Supreme Authority of the Nation*, (in derogation of the *Army Officers Supremacy*, who sufficiently chastised them for this strange *Usurpation*)

* My Imprisoners have lately professed to me, that they knew not the cause why I was thus close imprisoned.

* See *Cassia*, the *Jesuites Holy Court* printed in Folio..

* T. P. the new *Faux* is first.

* See their Declarations, Proposals, and printed Papers, 1647, 1648, 1649, 1652, & since for that purpose.

* Qui tam facile receptas & patrias leges cum novis aliis commutant, certe legum ipsarum auctoritatem debilitant atque enervant. Nec enim tantum legis abrogatio proderit, quantum Magistratibus non obediendi mos obervit. Aristotle Polit. l. 2. c. 6.

(f) And since this in a Printed Speech, Sept. 4 1654.

* Hath not the Army done this in our three Nations? See their own Chaplain Sedgewick, his Justice on the Armes Remonstrance 1648.

(t) The Monarchy of England hath been, 1. In the Britons, 2. in the Saxons, 3. in the Danes, 4. in the Normans Royal Line, & now the 5. must be elective in others. (v) De Monarchia Hisp. c. 25. See the Epistle to my Jus Patronatus. (x) Art. 1, 2, 12, 25, 32, 33, 41, 42.

who have made it their chief business, not only to New-model our ancient Fundamental Government, Parliaments, Ministry, Ministers maintenance, by Glebes, Tithes, and our Universities, much according to Parsons and his Fellow Jesuites forementioned Plat-formes, and Thomas Campanella his Instructions to the King of Spain, De Monarchia Hisp. c. 25. but likewise to New-mould, subvert, eradicate the whole Body of our * municipal Laws, and wish them the great Charter of our Liberties itself. And in their last cashiered, unelected Convention, (as some of their Companions, now in greatest Power assure us, in their (f) True State of the Case of the Commonwealth of England, &c. London, 1654. p. 15, 16, 17, 18.) there was a strong prevailing party whom nothing would satisfy, but A Total Eradication of the whole body of the good old Laws of England (the Guardians of our Lives and Fortunes) to the utter subversion of civil Right and Propriety; who likewise took upon them (by virtue of a supposed right of Saintship in themselves) to lay the foundation of a new Platform, which was to go under the Name of A Fifth Monarchy, never to have an end, but To war with all other powers and break them to pieces, baptizing all their profelites into this Principle and persuasion; that the Powers formerly in being, were branches of the (t) Fourth Monarchy (of England, Scotland; and Ireland) which must be rooted up and destroyed. And what other Fifth Monarchy this could be, but that projected universal Monarchy of the Jesuites, which would bring the whole Monarchy of Great Britain and Ireland, together with France, Spain, and all other Princes, States in Christendome under the Jesuites subjection, and break all other powers in pieces; (mentioned by Watson, in his Quodlibets p. 306, to 333. and Alphonsus de Vargas, Relatio de Stratagematis & Sophismatis Politicis societatis Iesu, Ad Monarchiam orbis terrarum sibi conficiendam c. 8. &c.) or else, that Eleidrus New Monarchy of Great Britain and Ireland, projected by (v) Campanella and Cardinal Richelieu, which some Grandees now endeavour by their Instrument to erect and perpetuate for ever (x) without alteration in themselves.

(v) De Monarchia Hisp. c. 25. See the Epistle to my Jus Patronatus. (x) Art. 1, 2, 12, 25, 32, 33, 41, 42.

and their Successors, (though they thus expressly brand it in others;) let themselves, and wise men resolve? it being apparent, by the practices and proceedings of all the Propagators of this new Project, that this *Fifth Monarchy* they intend to erect, is neither the *Spiritual* * *Kingdom of Jesus Christ in their own hearts*, mortifying their ambition, covetousness, pride, self-seeking, unrighteousness, violence, rapines, & other worldly lusts; nor the *personal reign* of Christ himself alone, in and over our 3 Kingdoms, and all other Nations for ever, * *depriving all Temporal Kings and Princes of their Crowns, Rights, and Government over their Subjects*; which they falsely endeavour to evince from *Dan. 2. 44, 45, 6. 7. 14, 27. Micah 4. 1, 2, 7. Luke 1. 32, 33. Rev. 20. 1. to 8. 1 Cor. 15. 24, 25. Heb. 12. 26, 27, 28.* but a meer supream, arbitrary, temporal Authority without Bounds or Limits, encroached by and erected in themselves and their confederates, without any colour of Right or Title by the Laws of God or the Realm, and no ways intended, but refused by all these sacred Scriptures, & others, which explain them. This design of the Jesuites, to alter and subvert the whole body of our Laws, was so far promoted by the Jesuitical and Anabaptistical party in this last Assembly, (elected only by the (y) Army-Officers,) that on Aug. 20. 1653. (as our News-books print,) they Ordered, there should be a Committee selected, to consider of a New Body of the Law, for the Government of this Commonwealth, who were to new-mould The whole Body of the Law: according to Persons his mould. And hereupon our cheating Astrologers (especially Lilly & Culpeper, the (x) Jesuites grand Factors to cry down our Laws, *Tithes, Ministers*) from the meer visible earthly Conjunctions, Votes, Motions, Influences of these New wandering excentrick Planets at Westminster only, (not of any Celestial Stars, as they would make Country-Clowns believe, alwayes moving and acting themselves by an unalterable Law from the very Creation until now, Gen. 1. 14. to 19. c. 8. 22. Psal. 104. 19. Psal. 136. 8. 9. Jer. 31. 35, 36. c. 33. 20, 21. Job 38. 32, 33. therefore no ways exciting men to alter Fundamental Laws and Governments here on earth) took upon them in their (a) Monthly Prognostications for this year 1654. *est accepisset.* Claudius I. 1. in March. (y) *A True State, &c.* p. 13. (z) See Tho: Campanella, de Monarch. Hist. c. 23, 25, 27. (a) See their Almanacks in January, February, September, October, December, 1654.

* Luke 17. 21.
Rom. 14. 17.
2 Per. 1. 11.
Col. 1. 13.
Heb. 12. 28.
Rev. 12. 10.

* *Non abripit mortalia, qui Regna dat ecclesia. Sedulius in hymno airast: de vita Christi. Rex iste quinquatus. est non veni Reges pugnando superare, sed moriendo mirabiliter subjugare. Venit enim non ut regnet vivus, sed ut triumphet occisus; nec ut de alius gratibus aut exercitiis quaterat, sed pro sanguine Gentium pretiosum sanguinem fundat. Hujus pueri regnum non est de hoc mundo; sed per ipsum regnabit in hoc mundo. Ipse est enim Sapientia Dei, qua dicit in Proverbiis, Per me Reges regnant. Tu enim regnum nullatenus habuisses, nisi ab isto puero qui nunc natus*

(b) See *Sixtus ab Hemminga Astrologia Refutata* Jo. Franciscus Officius de div. Astrologia facultate, in-lac. 12 astrologiam. Corn. Scæperus contra Astrologos. Alexander de Angelis in Astrologia, Hieron. Savanorola adversus Divinatricem Astrologiam, & Apologeticus pro tractatu ejus adversus Astrologos, 1581. Picus Miandula contra Astral. Puerbas Pilgrimag. p. 12, 13, 64. Mr. Galtaker's vindication of his Annotations on Jer. 10. 2. London, 1653. *Sixtus Senensis Bibl. sanct. p. 363, 31, 424, 10 4-9.*
** Accidere potest, ut publica militum simulatione specie LEGES a nonnullis Civitates evitent. Arist. Polit. l. 2. c. 6.*
** In his Victory of Truth. 1654.*
(c) Quodlib. 5. Art. 4. p. 144.

almost in every Month to predict, the pulling down of the Laws of the Nation, and of Lawyers to the ground: the calling of the great Charter in question, with other Liberties, as not suiting with English mens brains at this time. The plucking up the Crabtree of the Law by the Roots, to hinder the future growing of it: there being no reason we should now be governed by the Norman Laws, since the Norman Race is taken away by the same Instrument (the Sword) that brought in in: and the like. But these Predictors of our Laws and Lawyers downfalls, could neither foresee nor predict the suddain downfal of these lawless earthly Westminster Planets from the Firmament of their new-created Power; who should effect it by their influences. Wherefore, though I look upon these and all other their Astrological predictions, as (b) *meer Fictions, Chants, and Impositions*, in relation to the Cælestial Planets, (as are their 12 Signs and Houses of the Heavens, whereon all or most of their artless Art and Predictions are grounded;) Yet I cannot but take notice of them, as *clear Discoveries* of a strange Jesuitical & Anabaptistical Combination of a predominant party amongst us, to carry on this ancient Plot of the Jesuits related by Watson, against the great Charter of our Liberties, and the whole body of our Laws. And truly, when I seriously consider the late great dangerous, destructive Revolutions, Changes both of our Government, Parliaments, Laws, and the manifold extravagant publick Innovations, changes, proceedings, originally contrived by the Jesuits, but visibly acted; avowed, by Anabaptists, Independents, and some Pseudo-Presbyterians in the Army, and elsewhere, formerly reputed Puritans, and now so styled by * *Militiers*; it puts me in mind of 3 memorable propheticall Passages of William Watson in his *Quodlibets*, printed 52 years since (An. 1602.) which I have frequently thought on of late years, as now experimentally accomplished; I shall beseech our late and present Grandees, and New State-Masters seriously to consider them; which I shall here relate in his very printed words.

1. (c) *I make no question of it, if the Jesuits prevail in England, they intend, and will turn all things topsy-turvy, upside down: Five shall up, Sixe shall under. In Parsons High Censel of Reformation, All the whole State must be changed: and the Lands and Seignories of Clergy and Nobility, Univer-*

sties, Colledges, and what not, must be altered, abridged, and taken away. And is not all this visibly effected already for the most part; and the rest projected, and ne'er accomplished?

2. (d) I verily think, that all the Puritans will join wholly with the Jesuites at length, (how far off soever they seem to be, and are yet in external profession of Religion) there being at least half an hundred Principles, and odd Tricks concerning Government, Authority, Tyranny, Popularity, Conspiracy, &c. which they jump as just together in, as if both were made of one mould. And is not this really verified (though not by the old loyal English Puritans) yet at least by sundry * Puritan Anabaptists, Independents, some temporizing Presbyterians, and by many Army-Officers, Souldiers, (in late or present Power) if they will but compare their last six years actions with the Jesuites? which hath given great advantages to our Romish Adversaries to draw more Proselytes to their Religion. O let them consider it seriously in the fear of God, and lament it with the greatest grief of heart! y

(d) Quodlibet
6. Art. 4. p. 169.
Sec p. 27, 28.

* See Militerie
his V Story of
Truth, dedi-
cated to the
King of Great
Brittain, to in-
vite him to
embrace the
Roman Catho-
lick Faith,
1654.

3. (e) The Jesuites without all question, are more dangerous, pernicious and noysom, to the Commonwealth of England and Scotland, than the Puritans; as having more singular fine wits amongst them, and many learned men on their side; whereas the Puritans have none but Grossum Caputs: they, many Gentiles, Nobles, & some Princes to side with them; the Puritans but few of the first; rare, to have any of the second; and none at all (unless it be one) of the last on their side. And so by consequent, All matters come to hearing, hammering and handling betwixt the Jesuites and Puritans; The latter are sure to be ridden like Fools, and come to wrack. And whether they have not been ridden, outwitted, wracked by the Jesuits plots, wits, wiles, instruments both in their late Councils, Innovations of Government, forcible dissolutions, subversions of Parliaments, Laws, Liberties, Anomalous Proceedings, Designs, let our late dis-houled, dismounted Puritan-Grandees and Statuzers of all sorts, (especially Presbyterians) determine at their leisure; and let those in present Power take heed, they be not ridden by them too like fools, as well as their Predecessors, yea, wracked by them at the last when they have served those turns for which they set them up on horse-back, for to ride to death our Kings, Parliaments, Kingdoms, and utterly consume, devour them, with our remaining Ministers Tithes, Glebes Uni-

(e) Quodlibet
2. Art. 1. p. 26,
27.

Note:

versity & College Lands by Monthly endless Taxes, Excises, & a perpetual Law, *Tith oppugning*, Parliament-dissolving Army, in whose Councils, we have cause to fear, the *Jesuites* have been most predominant of late years, and will still make use of them to our final ruine, if not effectually purged out, and the Army new moulded, new principled, if any longer continued under pretext of publick safety, and not wholly disbanded for the peoples ease and Liberty. ♣

(a) De Monarchia Hispanica
c. 25. p. 204,
&c.

It is worthy observation, that *Tho. Campanella* (a) prescribed the sowing, and continual nourishing of *Divisions, Dissensions, Discords, Sects and Schisms among us*, both in State and Church (by the Machivilian *Plots and Policies* he suggests, punctually prosecuted among us of late years) as the principal means to weaken, ruine both our Nation and Religion, and bring us under the Spanish and Popish yokes at last; witness his, *I AM VERO AD ENERVANDOS ANGLOS NIHIL TAM CONDUCIT QUAM DISSENTIO ET DISCORDIA INTER ILLOS EXCITATA PERPETUOQUE NUTRITA*, *Quod cito meliores occasiones suppeditabit*: and that principally, by instigating the Nobles and chief Men of the Parliament of England: *UT ANGLIAM IN FORMAM REIPUBLICÆ REDUCANT AD IMITATIONEM HOLLANDORVM*: which our Republicans lately did by the power of the Army-Officers; or, by sowing the seeds of an inexplicable war, between England and Scotland; By making it an Elective Kingdom, (as some now endeavour under another Notion) or by setting up Other Kings of another Race, without Legal Right, or just Title, against that ancient, unquestioned, undoubted Right and Title settled, established in King James and his Royal Posterity by Inherent Birthright, and lawfull right of Descent by God himself and his Laws, confirmed & strengthened by all possible Titles and Rights of conquest, Laws, Statutes, Oaths, perpetual uncontradicted customs, Protestations, Covenants, the solemn Publick Faith and Engagement of our English Parliaments & Nation, for themselves, Their Heirs & Posterities for ever, as the Statutes of 1 Jacobi c. 1. 2, 3, 14. c. 1. 4, 7. 1 ac. c. 6. which both houses of Parliament in their Declaration of Nov. 2. 1642. *Exact Collect.* p. 705 resolve. And that upon this suggestion to the People; *Crudelem fore SCOTULM ubi semel Imperium in illos obtinuerit, tenentem alia*

* See 25 H. 8.
c. 22. 31 H. 8.
c. 4. 37 H. 8.
c. 17. 1 Eliz.
c. 3.

mentū repositum, quanta injuria Angli Scotos superioribus illis
annis affecerint. Præterea suspitionem eis incutiat, fore ut Jaco-
bus CÆDEM MATERNAM VINDICATURUS SIT, &c.
Exasperandi sunt etiam animi Episcoporum (Presbyterorum) An-
glicorum proponendo illis REGEM SCOTIÆ Calvinismum
amplexum esse SPE & CUPIDITATE REGNI, ADAC-
TUMQUE VI, A BARONIBUS HÆRETICIS, quod si vero
Regnum Anglia etiam obtineat, TVM ILLVM CITO PRIO-
REM RELIGIONEM REVOCATURUM ESSE : quando-
quidem non solum MARIA EJVS MATER moriens, virum
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now transcribed almost verbatim out of *Thomas Campanella*,
(who suggested it against King James to alienate the English
from him, & keep him from the Crown) & very freshly by the
Authors of *The True state of the Case of the Commonwealth*, &c.
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land, and engage the whole English Nation against their Title,
to vest it in some other Family in greatest power.) Or if these
projects should fail, then *b*, dividing us into many Kingdoms
or Republicks, distinct one from another, and by sowing the seeds
of Schisms, and making alterations and innovations in all Arts,
Sciencess, and our Religion. The old Plots of *(b)* Campanella,
(c) Parsons, and late designs of *(d)* Cardinal Richelieu, of the
Pope, Spaniard, Jesuites, to undo, subvert our Protestant Church-
es, Kings, Kingdoms and Religion, as the marginal Authors irre-
fragably evidence: yet all visibly set on foot, yet, openly pursu-
ed, and in a great measure accomplished by some late, nay pre-
sent Grandees and Army-Officers, who cry up themselves for
our greatest Patrons, Preservers, Deliverers, and Anti-Jesuits,
when they have rather been but the *Jesuits*, *Popes*, *Spani-*

De Monarchia
Hist. c. 25.

(b) De Monarchia
Hist. c. 25.

(c) See at fons
Quodlibets, p.
286. to 332. A
Dialogue be-
tween a secular
Priest and Lay
Gentleman,
printed at
Rhemes, 1601.
p. 93, 94, 95.

(d) Conte de
Galeazzo Gual-
do Priorato,
Hist. part. 3.
Venetis

and take upon them all professions now amongst us.
6. That the *(b)* Jesuits by their devices and practices, have brought all to
Mechanicks, DIVIDE ET IMPERA, in sowing division, breeding of
jealousies, and making of hostile fleets, by opposition of King against King, State
against State, Priest against Priest, Peer against Peer, &c. &c. &c.
p. 62, 69, and
Hist. part. 3.

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land, and engage the whole English Nation against their Title,
to vest it in some other Family in greatest power.) Or if these
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or Republicks, distinct one from another, and by sowing the seeds
of Schisms, and making alterations and innovations in all Arts,
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sent Grandees and Army-Officers, who cry up themselves for
our greatest Patrons, Preservers, Deliverers, and Anti-Jesuits,
when they have rather been but the * Jesuites, Popes, Spani-
ards and other Forraign enemies instruments and factors, in all
the late changes, new-models of our Government, Parliaments, &
pretended reformation of our laws and Religion, through inad-
vertency, circumvention, or self-ended respects, as many wise
and godly men justly fear. For prevention whereof, I shall
recommmend to the whole Kingdoms serious consideration, the
memorable Preamble of the Statute of 25 H. 8. c. 22. disco-
vering the like Plots of the Pope and our Forraign Enemies to
ruine us in former ages; and the principal remedy they pre-

* De Monarchia
Hispan. c. 25.

(b) De Monarchia
Hispan. c. 25.

(c) Seen at fons
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(d) Conte de
Galeazzo Gual-
do Priorato,
Hispan. part. 3.
Venetiis 1648.
p. 175, 176.

* Et quidem
quid refert an
Mulieres (Je-
suites) presint
an hi qui præ-
sunt mulieribus
abedient?
Arist. Polit.
l. 2. c. 7.

scribed, to prevent them for the future, in these ensuing words.
In their most humble wise shewen unto your Majesty, Your most
humble and obedient Subjects the Lords Spiritual and Tempo-
ral, and the Commons in this present Parliament assembled:
that since it is the natural inclination of every man, gladly and
willingly to provide for the safety, both of his Title and Succession,
although it touch his only private cause: We therefore, most
rightful and dreadful Sovereign Lord, reckon our selves much
more bounden, to beseech and instant your Highness, although we
doubt not of your Princely heart and wisdom, mixed with a na-
tural affection to the same, to foresee and provide for the perfect
surety of both you and of your most lawfull Succession and heirs,
upon which dependeth all our joy & wealth, in whom also is
united and knit, the only most true inheritance and title of this
Realm, without any contradiction: Wherefore, we your said most
humble and obedient Subjects in this present Parliament assen-
bled, calling to our mind the great divisions, which in times past
have been in this Realm, by reason of several Titles pretended
to the Imperial Crown of the same; which sometimes, and for
the most part, ensued by occasion of ambiguity and doubts, then
not so perfectly declared, but that men might upon froward in-
tents expound them to every mans sinister appetite and affec-
tion, after their sence, contrary to the right Legality of the
Succession and Posterity of the lawfull Kings & Emperors of
this Realm, whereof hath ensued great confusion & destruction
of many blood, as well of a great number of the Nobles, as of
other Subjects, and specially Inheritors in the same. And the
greatest occasion hath been, because no perfect & substantial pro-
vision by law hath bin made within this realm it self, when doubts
and questions have been moved, & proposed of the certainty &
legality of the Succession & posterity of the Crown. By reason
whereof, The Bishop of Rome, & See Apostolick, contrary
to the great and inviolable grants of Jurisdictions By God
immediatly to Emperours, Kings & Princes in succession to
their heirs, hath presumed in time past, to invade who should
please them to inherit in other mens Kingdoms & Dominions;
which thing, we your most humble Subjects, both Spi-
ritual and Temporal, do most abhor & detest: And sometimes
other foreign Princes and Potentates of sundry degrees,
winning rather dissention & discord to continue in the realm,
to the utter desolation therof, than charity, equity, or mercy have
many

Nota.

Nota.

Nota.

many times supported wrong titles, whereby they might easily & easily aspire to the Superiority of the same, the continuance & sufferance whereof deeply considered & pondered, were too dangerous and perillous to be suffered any longer within this Realm, & too much contrary to the unity, peace and tranquillity of the same, being greatly reproachful and dishonourable to the whole Realm. In consideration whereof, your said most humble and obedient Subjects, the Nobles and Commons of this Realm, calling further to their remembrance, that the good, unity, peace, and wealth of this Realm, and the succession of the Subjects of the same, most specially & principally above all worldly things, consisteth and resteth in the certainty and surety of the procreation, & posterity of your Highness, in whose most royal person at this present time, is no manner of doubt or question, Do therefore most humbly beseech your Highness, &c. to declare the establishment of the succession of your royal posterity in the Imperial Crowns of this realm: as he and they did by this & other succeeding acts of Parl. & in 1 Eliz. c. 3. & 1 Jac. c. 1. to prevent the like civil wars and mischiefs for succeeding ages, now revived, promoted by the Pope, Jesuits, & Foreign Popish Princes to work our ruine.

Nota.

Certainly, whosoever shall seriously ponder the premises, with these passages in William Watsons Quodlibets concerning the Jesuits, (c) 1. That some (c) Quodlib. 3. of the Jesuits society have insinuated themselves into all the Princes Courts of Christendom, where some of their Intelligencers reside, and set up a secret Council, of purpose to receive and give intelligence to their General at Rome, of the secrets of their Sovereigns, and of all accidents in those parts of the world, which they dispatch to and fro by such cyphers, which are to themselves best, but commonly only to themselves known; so that nothing is done in England, but it is known at Rome within a month after at least, & *Nota.* reply made back as occasion is offered, to the consequent overthrow of their own natural Country of England, and their native Princes and Realm; by their unnatural Treasons against them; that so the Jesuits might be those long gowns, which should reign and govern the Island of Great Britain. To which I shall add that of Rob: Turner an English Jesuit, in his Epistls printed at Ingolstadt, An. 1584. Ep. 19. Volui irrope, e, volui irrumpere in intimas Aulas Principum; volui videre omnia, ut ad Justitiam novam preclare exigerem. Vix capiam obire Principi Aulas, cum viderim Hæreticorum illius Mundum ADMINISTRARI A STULTIS, &c. with that of Hospinian, Historia Jevitica l. 3. p. 148: That the Jesuits are so subtil, vigilant, bold, laborious, and indued with such a faculty of flattery, insinuation, assailing and bursting in Princes Courts, that they exactly discover, know, and fish out all their secrets, (which they reveal to their Superiors, the Pope and Spaniards) and alone rule all things in them: so that the Courts of Europe are more grievously infected & assailed by the Jesuites, than the Court of Pharaoh was of old by the Egyptian Frogs. And may we not (f) Quodlibets then justly fear our new Court hath been as much pestered and infected by them of late years, as our old Court heretofore? 234, 305, 306, 307, 309.

as (f) That the Jesuites hope and endeavour to have England, Scotland

and lie land under them, to make these Northern Islands a Japonian Island of Jesuites, and one Jesuitical Monarchy; and to insefse themselves by hook or by crook In the whole imperial Dominions of great Britain with the remainder over To their Corporation, or pami-Fathers succeeding them, as heirs specially in their society, by a State of perpetuity: Putting all the whole Blood Royal of England to the Formidon, As but Heirs general in one Predicament together, as now they have done.

(g) Quodlibets

p. 11, 12, 14,

16, 17, 42, 45,

50, 283, 285,

332, 333.

A Dialogue

between a se-

cular Priest &

a Lay Gentle-

man, An. 1601.

(h) Quodlibets

p. 295 to 313

61, 286, 287,

See the Right

& Jurisdiction

of the Prelate

and Princes, by

J. E. 1617

*See J. E. his

Treatise of the

Right and Ju-

isdiction of

the Prelat &

Prince, prin-

ted 1616, &

re-printed

1621, by the

Jesuits.

(i) Quodlibets

p. 26.

(k) Quodlibets

p. 62, 69, and

elsewhere.

3. (g) That the Jesuites have Magistraty, Kings, Magistrates, Ministers, Priesthood, and Priests in high contempt; publishing many slanderous, seditious, traytous, and infamous speeches, libels, and books against them, to render them odious and contemptible to the People, full of Plots, exasperations against the Church and Commonwealth, like rebellious Traytors, to bring all in to an uproar, that they may have all Countries, Kingdoms, Governments, Successions, States, Inhabitants, and all at their pleasure.

4. That the (h) Jesuites have taught the people (in order to get England under their power, and in order to God or Religion, as they stile it,) That Subjects are bound no longer to obey wicked or heretical Princes and Kings de-

fecting from the Catholick Religion, and drawing others with them, but till they be able by force of arms to resist and depose them. That the popular multi-

tude may upon these grounds, when they think meet, place and displace their Princes and chief Officers at their pleasure, as men may do their Tenants at

will, hirelings, or ordinary Servants, putting no difference in their choice Upon any Right or Title to Crowns or Kingdome, by

Birth or Blood or otherwise, when as these Fathers (forsooth) shall approve it.

By this all things must be wrought and framed, conformable to opportunities of times and occasions; as for example: The people must have a right and interest in them, and to doe what they list in choice of their Kings and Supream Governours, til they have set such a person or Usurper in the

Crown, as they for their ends have designed; and then the times and occasions changing, when such a one is settled in the Throne, the former doctrine and practise must be bolden FOR A MISTAKING; yet such, as seeing it cannot be halpen, the people must beware hereafter of attempting the like again.

By this a check must be given to the publishers of such paradoxes, (when they have accomplished their designed ends,) after that a dispensation procured for the Offenders, and then all shall be well ever after; till a new opportunity for their further advantage.

5. That the (i) Jesuits by absurd equivocations, counterfeited perjuries, Sacrileges, and consenage, become all things to all men, that they may gain all; as to be Seminary Priests amongst Seminaries; Secular Priests, among Seculars; Religious men, among Religious; Seditious men among Seditious; Faction

Spaniards amongst Spaniards; ENGLISH TRAYTORS AMONG TRAYTORS; SCOTISH VILAINS, AMONG SCOTS, &c. and amongst all these, to deny and affirm, to object and answer, to swear and forswear, whatsoever may be a gain to them, for their pragmatistical Commonwealth and society.

No wonder then, if they transform themselves into all shapes, and take upon them all professions now amongst us.

6. That the (k) Jesuits by their devices and practises, have brought all to Machiavels rule, DIVIDE ET IMPERA, in sowing division, breeding of jealousies, and making of hostile strife, by opposition of King against King, State against State, Priest against Priest, Peer against Peer, Parents against

children, children against parents, sisters against brothers, servants against masters, wives against husbands, husbands against wives, and one friend against another, raising up rebellions, MURDRING OF PRINCES, making uproars every where, until they make those they cannot otherwise winne unto them, either yield to be their vassals to live quiet by them, or force them to flight, or drive them out of their Wits, or otherwise plague them to death.

7. That the (1) Jesuits by their cursed positions, and machiavillian practises, have made religion it self a meer political and atheal device; a pragmatistical science of Figboys, and but an art of such as live by their wits, and the principles of Machiavel taught by their Rabbies; yea, a very horch potch of omnium gatherum, religious, secular, clerigical, laical, ecclesiastical, spiritual, temporal, MARTIAL, civil, acromenical, political, liberal, mechanical, municipal, irregular, and ALL WITHOUT ORDER; so that they are not worthy to be called religious, ecclesiasticks, catholicks, nor temporal mechanical Christians; but rather Machiavillians, Atheists, Apostates; their course of life shewing what their study is; and that howsoever they boast of their perfections, holiness, meditations and exercises, (as if they were all Superlatives, all Metaphysicians, all entia transcendentia) yet their platform is heathenish, tyrannical, sarhanicall, able to set Aretine, Lucian, Machiavel, yea, and Don Lucifer, in a sort to school.

Those, I say, who shall sadly ponder all these premises, and compare them with the late practises, policies and proceedings of some swaying politicians of our age (infected likewise with this Atheistical State-Maxime, amongst others derived from the Jesuits, and Machiavillian Spanish State-Counsellors:) In Reipublica administratio,ne, quaedam LICITA ESSE RATIONE STATVS; alia respectu conscientia: which * Thomas Campanella (as bad as he is) not only severely censures; but thus declaims against with highest detestation, *Qua opinione profecto NIHIL MAGIS ABSVRDVM AVT IMPIVM ne excogitari quidem potest: Nam qui conscientia universalem suam jurisdictionem in omnes res humanas TAM PVBLICAS QVAM PRIVATAS,*
H
subtrahit,

(1) Quodlibets.
P. 43. 61, 62,
64. 16.

De Menarchia Hist. c. 32.
P. 297, 298.

*subtrahit, ostendit, SE NEC CONSCIENTIAM, NEC DE-
VM HABERE, &c. Siquidem omnia scandala Ecclesia Dei,
& PERTVRBATIONES ORBIS TERRARVM, INDE
ORTA SVNT:* that men may do against all Laws of God
and Man, their own Consciences, Trusts, Oaths, out of a
pretext of the benefit, safety of the State, & publick good, as
most now do; Or, compare the with the constitution of our
Church, State, Religion, publick affairs, must needs acknow-
ledg, that these pragmatikall Iesuits have bin very active, pre-
valent, powerful, successful, and not only *militant* but *tri-
umphant*, of late years amongst us, under some disguise or
other: that they have dangerously poysoned us with these
their *Machiavillian* and *Atheal* policies, practises positions,
and have more real *Disciples*, *Fallors*, if not *Tutors*, now a-
mongst us, then in any former ages: And is it not high time
then to endeavour to detect their persons, and prevent their
dangerous designs upon us, with greatest care and diligence?
Truly though most others be negligent and fearfull here-
in, yet that text of *Exak. 2. 6, 7.* And thou son of man, be
not afraid of them, neither be afraid of their words, though
bryars and thorns be with thee, and thou dost dwell among
scorpions, be not afraid of their words, nor be dismayed at their
looks, though they be a rebellious house. And thou shalt speak
my words unto them, whether they will hear, or whether they
will forbear, for they are most **REBELLIOUS**; hath anima-
ted me to exonerate my conscience herein, and to say
with the prophet, *Isai. 62. 1.* For Zions (Englands) sake
I will not hold my peace, and for Ierusalem sake I will not
rest, until the righteousness thereof go forth as brightness,
and the salvation thereof as a Lamp that burneth. Wherefore,

Upon serious consideration of all these Premises, and of
all those Sacred Solemn Oaths, that Protestation, Vow, League,
and National Covenant, which I have formerly taken (lying
still as so many) (f) indissoluble Obligations on my Soul,
notwithstanding the ingrate, malicious, unchristian Requ-
itals of all my former unmercenary services, Sufferings for Re-
ligion, Laws, Liberties, and the publique, in times of great
Danger, recompenced only with long causeless, close impris-
son-

(f) Josh. 9.
19, 20. & Psal.
89. 34. Psal.
135. 4. Heb. 6.
27, 18.

sentments, injuries, affronts, losses of all kinds, by pretended friends and Patrons of our Liberties, as well as by professed causeless Enemies. And notwithstanding all other Discouragements from the general baseness, cowardise, Sottishness, slavishness, degenerated Spirits of the whole Nation, and their strange fearfulness even publicly to own, much less cordially, to assist, defend, (according to the sixth Article of the Covenant) those few courageous Patrons who have hazarded their Lives, Liberties, Limbs, Estates, and all earthly comforts for the publique defence of our Religion, the Laws, Liberties, Priviledges of our Kingdom, Church, Parliament, against the old and late avowed subverters of them, whose very (g) Company, visits the generality of their former friends and acquaintance have declined, (as if they had some plague sores on them;) not only during their late restraints, but likewise since their enlargements out of them, (enough to perswade them never to write, speak, act, or suffer any thing more, for such ingrate, unworthy Creatures, but rather to put their helping hands, to make them and their Posterities slaves for ever.) I have yet once more, out of pure zeal, love, conscience towards my native Country, adventured my life, liberty, and decayed estate, (considering the lawlessness and Danger of the times, not the justice and goodness of the Common Cause, I plead) for the necessary defence of the Fundamental Liberties, Franchises, Lawes, Rights, Parliaments, Priviledges, and Government of our enslaved Nation, (though every way * unworthy to be beloved by God, or men of noble spirits) in this Seasonable, Legal, Historical Vindication and Collection; wherein I have with all boldness, faithfulness, without the least fear or flattery of any Mortals or created powers whatsoever, argued, evinced, maintained my own particular, with the whole Nations publique rights and inheritance in them, (of which few or none take any care, but only of their own private gains, ease, safety, though with the † Publike ruine) and endeavoured (as much as in me lies) to preserve

(g) When our Saviour himself was apprehended, carried away prisoner, and like to be crucified, all his Disciples forsook him, and fled, and Peter denied him with an oath, Mat. 26. 56. 70. to 75. And at Pauls first appearance before Nero, no man stood with him; but all men forsook him. I pray God it be not laid to their charge, 2 Tim. 4. 9. 16. And so it is now with most publique sufferers.

* Zeph. 2. 1. † unusquisque majorem temporis sui partem in rebus privatis curandis ponit, & Rempublicam nihil detrimenti ex hac sua negligentia capere posse putat, sed & aliquam alium esse existimat qui Rempublicam curet, eiq. pro seipso perspicit. Itaq. eadem omnium privatorum opinio nem univ. Rempublicam perire, non animadvertit. Thucydides H. St. l. 1. p. g. 110.

them and our Religion from the several Jesuitical plots, counsels, specified in the whole Commons House Remonstrance of 15 December 1641. *Exact Collection*, p. 3. to 14. of late years revived, and more vigorously pursued than ever, and to rescue them out of the Claws of Tyranny, and all usurping arbitrary powers, which have avowedly encroached on, yea trampled them under feet of late, more than ever the worst of all our Monarchs, or beheaded King did; though declaimed against, as the greatest of Tyrants by some who have transcended him in his worst Regal Exorbitances; and particularly in this, which the Lords and Commons in Parliament, in their * Declaration of Aug. 4. 1642. thus grievously complained of, and objected against the Kings ill Counsellors, 'That the LAWS, were no protection or defence of any mans right, all was subject to will and power, which imposed WHAT PAYMENTS THEY THOUGHT FIT, to drain the Subjects purses, and supply THOSE NECESSITIES, which their ill counsel had brought upon the King, and gratify such as were instrumental in promoting most ILLEGAL and OPRESSIVE COURSES. Those who yielded and complied were countenanced and advanced, all others disgraced and kept under, (and are they not so now, as much as then?) that to their minds made poor and base, (as they were never so poor and base as now) and THEIR LIBERTIES lost and gone (as they were never so much as now) they might be ready to * LET GO THEIR RELIGION whensoever it should be resolved to alter it, which was, and still is, the GREAT DESIGN, and all the rest made use of as instrumental and subservient to it. Upon which consideration they thus concluded that Declaration, 'Therefore we the Lords and Commons are resolved, to expose our lives and fortunes for the defence and maintenance of the true Religion, the Kings person, honor and estate, the power and privilege of Parliament, the just rights and liberty of the Subject, And we do hereby require all those who have any sence of piety, honor or compassion, To HELP A DISTRESSED STATE, especially SUCH WHO HAVE

* *Exact Coll.*
p. 492. 497.
494.

* Are they not now more ready to let it go, than ever? & have not thousands done it?

HAVE TAKEN THE PROTESTATION, and are
bound in the same duty with us unto their God, their King
and Country, to come into their aid and assistance.

That which hath not a little encouraged me hereunto, is
not only this their publick call, but likewise this memora-
ble passage, *vow, protestation of the Lords and Commons as-
sembled in Parliament*, in their printed (b) Declaration in
answer to his Majesties of October 23. 1642. Which I fear
most of them since in power have quite forgotten; and
therefore I beseech them now seriously to remember it.

(b) Exact col.
p. 650. 659.
660.

*Though we know very well, there are too many of the Gentry
of this Kingdom, who to satisfy the LVSTS OF THEIR
OWN AMBITION, are content, like Esau, TO SELL
THEIR BIRTH-RIGHT, AND CARE NOT TO SUB-
MIT THEMSELVES TO ANY ARBITRARY AND
UNLIMITED GOVERNMENT, so they may FOR
THEIR OWN TIME PARTAKE OF THAT POW-*

Nota.

*ER, to trample and insult over others: (And have not,
are not some of these declarers and censures such them-
selves ?) ' yet we are assured, that there are of the Gen-
' try many worthy and true hearted Patriots, (but where
' are those many now ?) who are ready to lay down their
' lives and fortunes, and of late have given ample testi-
' mony thereof, for maintenance of their Lawes, Liberties,
' and Religion; and with them and others of their resolu-
' tion we shall be ready to live and die. (But how many
of these Declarers have made good this publick engage-
ment ? yea, have not some of them been, and still are
more ready to secure, seclude, disoffice, imprison, kill, slay
any such true-hearted Patrons, as I have felt by sad ex-
perience, than to live and die with them ?) ' And we must own
' it as our duty, to use our best endeavors, that the meanest
' of the Commonalty may enjoy their own Birth-rights,
' Freedom and Liberty of the Laws of the Land, being
' equally entituled thereto with the greatest Subject. I*

Nota.

*trust therefore the greatest Grandees in late or present
power, neither will nor can be offended with me, and that
all the Nobility, Gentry, Commons, and true-hearted Pa-*
trons.

trons in the Nation, who bear any love to the Laws, Liberties, Freedom of the people, for which their Ancestors and they have so long, so stoutly contended heretofore, and lately with our Kings; *will live and die with me* in this their *Vindication and Defence*, against any of their fellow-Subjects, who shall endeavor to subvert or deprive them of the full and free enjoyment of all or any of them, according to this Engagement and Declaration: Wherein there are these further observable passages, relating to the Parliaments priviledges and its Members, which I desire our *Army-Grandeets*, who impeached, secured, secluded my self with other Members of the last true Parliament, levied war against and forcibly dissolved it; with the Contrivers of our late New-Modelled Governments, would seriously ponder; who in common justice must be content to be as freely told of and reprehended for their ** frauds, faults* in print (where the publike and every mans private interest, Right, Liberty, Security, is concerned) as they have censured others, as well their Superiors, as Equals, oft in print, though perchance *lisse peccant thanth.mselves* (i) in that they object against them. (k) For the matter of his Majesties raising an Army against the Parliament (wherein many Papists, Priests, Jesuites were employed) and taking away the priviledge thereof, we shall refer it to the judgement of every ordinary capacity, whether it be void of sense to say, that this War is raised against the Parliament; But the truth is, that it is not a few persons, but the Parliament it self, is the thorn that lies in these mens sides, which, heretofore when it was wont to prick them, was with much ease (by a sudden dissolution) pulled out: But now that is more deeply fastned by the Act of Continuance, they would force it out by the power of an Army. (Hath not this been the very practise of some *Army-Grandeets* of late, here objected against the King Jesuitical and Popish ill Counsellors?) And whosoever will peruse the several Speeches and Declarations, made upon the breaking up of former Parliaments, since the beginning of his Majesties Reign, will find, the pretences of those unjust and illegal Dissolutions, to be grounded upon the exceptions

* *Fraudes promodis omnes atq. Injuria ab Ambitione & Avaritia proficiscuntur.* Arist. Polit. l. 2. c. 7.

(i) See the Armies old & new Declarations against the Parliam. & Members. Their True state of the Commonwealth &c. which, *mutato nomine*, is but a direct Arraignment of themselves under the name of others.

(k) Exact col. p. 652. 654. 655. &c.

exceptions against some particular Members, under the name of A few factious and seditious persons: so that the aspersing and wounding of the Parliament through the sides of a few Members, is no new invention: (And hath not this been the very Army-Officers practise, since the first year of their reign till now, to wound the last real Parliament; yea, their own late dissolved *Mock Parliaments* since, through the sides of a few corrupt Members, or a corrupt Majority in the House, as all their Printed (1) Declarations upon their dissolutions attest. And is this then no crime? or no Jesuitical practise in them, though such in the late (m) King and his ill Counsellors?) And for the satisfaction of all indifferent men, that this War is raised against the Parliament, we shall refer them to former Declarations, issued out in His Majesties name, being so many invectives and groundlesse accusations, not against particular Members only, but against the Vote and proceedings of both Houses. (And are not many of the Armies Declarations in 1647. and 1648. yea, the late Pamphlet of some present Grandees, intituled, *A True State of the Case of the Commonwealth of England*, Printed 1654. Such? let them now then see whence they took their pattern, even from the beheaded Kings (n) Jesuited evil Counsellors, whose steps they exactly trace in this?) But if the truth were, as that Declaration seems to imply, That this Army is raised to force some (o) particular Members of this Parliament to be delivered up, yet upon that ground would it follow, that the same is levied against the Parliament. For it cannot be denied by any ingenious man, but that the Parliament by their (p) inherent rights and priviledges hath the power to judge and punish their own Members: [yet the Army Officers took upon them to secure, seclude them without Charge, and their future New-minted Parliament Members, though only elected by the People, must be tryed, judged by the new Whitehall Members, ere they can be admitted to sit, Article 21 of the New Government.] And we have often declared to His Majestie and the World, That we are 'alwayes ready to receive any evidence or accusations against

(1) See their declarations in May, June, July, Aug. 1647 in Novemb. Decemb. Jan. 1648. An.

1652, & 1653. & their True

State of the case of the

Commonwealth of England,

&c. p. 4. to 35. Ann. 1654.

with some other Papers & Speeches,

since,

(m) Exact collect. p. 31. 4. to 16.

(n) Exact col. p. 31. 4. to 16. 651, 652, 653.

Nota.

(o) If one Member suffer, all the

Members suffer with it,

1 Cor. 12. 26.

(p) See Cooks 4 Infric. i. p. 15, 16, 17. 23.

24, 25, and my Plea for the Lords.

(q) Nor yet against my self, and o-
ther secured
secluded and
long impriso-
ned Members.
against any of them, and to judge and punish them accor-
ding to their demerits; yet hitherto (q) no evidence pro-
duced, no Accuser appearing: And yet notwithstanding,
to raise an Army to compel the Parliament to expose those
Members to the fury of those wicked Counsellors, that
thirst for nothing more than the ruine of them and the
Commonwealth: What can be more evident, than that
the same is levied against the Parliament? For did they
prevail in this, then by the same reason (pray observe it)
They might demand 20 more, and never rest satisfied
until their malice and Tyranny did devour all those Mem-
bers they found crosse and opposite to their lewd and
wicked designs [And was not this the practice of the
Army-Officers, who levied a real actual War against the
Parliament? They first impeached, secluded xi. Members
of the Commons House; and some Lords soon after. An.
1647. then they secluded other Members, by their high
Declaration of Aug. 18. 1647. after that they secured, im-
prisoned my self, with 44 Members more, and secluded
the greatest part of the Commons House, leaving not above
50 or 60 at first sitting, who confederated with them, in
December 1648. within two moneths after this, they be-
headed the King; then suppressed the whole Lords House,
to carry on their designs since acted: At last they dissolved
their own Mock Parliaments, when they crossed their am-
bitious aspires: What they did in September last since this
was first penned to those now sitting, is fresh in memory.]
Touching the Privileges of Parliament, which the contri-
vers of that Declaration in his Majesties name, (and the
Contrivers of sundry Declarations since in the Armys
name, who imitated them herein.) seem to be so tender of,
and to professe all conformity unto, and deny this Army
to be raised in any degree to violate: we shall appeal
to the judgement of any indifferent man, how little truth
is contained in this their assertion, (or in the Army Offi-
cers printed Papers to the same effect.)

* See that of
June 14. of
Aug. 2 & 18.
1647, and
the Letters of
July 29. 1647.
The Decla-
rations of
Nov. 16. Dec.
6. 1648.

The Parliament is to be considered in three severall
respects: First, As a Councell to advise. Secondly, As a
Court

' Court to judge. 3. As it is the body representative of the
' whole Kingdom, to make, repeal, or alter Laws: and whe-
' ther the Parliament hath enjoyed its priviledges in any of
' these respects (*under the Army-Officers and powers, as well*
' *as late King*) let any that hath eyes open judge.

' For the first, We dare appeal even to the Conscien-
' ces of the Contrivers themselves, (and to the conscien-
' ces of the Army-Officers, Souldiers, and *Whitehall* men
' themselves) whether matters of the highest importance,
(witness all the publick proceedings against the late
Parliament, King, Peers, Government; the Warrs with
Scotland, Hollana: their new *Magna Charta*, repealing
the old, Entituled, *The Government of the Commonwealth*
of England, Scotland and Ireland, wherein they take upon
them such an Omnipotent Sovereign power, as, To pass a
decree upon the wavering humors of the people, and to say
to this Nation, (*yea to Scotland and Ireland too,*) As the
Almighty himself said once to the unruly Sea, * *Here shall be*
thy bounds, hitherto shalt thou come and no further; as some
of them most arrogantly, if not blasphemously publish in
print to all the world in their *True State of the Case of the*
Commonwealth, p. 34. Their making of new binding Laws
and Ordinances, repealing old Laws and Statutes in and by
pretext of this Instrument, out of Parliament, as their ma-
nifold *Whitehall* Folio new Edicts, amounting to near 700
pages, attest) *have not been agitated and determined* (in and
by the Army-Officers, General Council, and other unpar-
liamentary Juncto's,) *not only without,* but contrary to their
Advice, (and Votes too;) *and whether* private unknown
Councils (in the Army, *Whitehall*, and elsewhere, yea the
private Councils, Plots, conspiracies of Jesuits, of For-
raign Popish and Spanish Agents) *have not been hearkned*
unto, approved and followed, when the Faithful and wholsom
advice of the great Counsel hath been scorned & neglected (by
the Army Officers and their Confederates.) *And yet none*
can deny, but it is one of the Principle ends why a Parliament
is called, To Consult the great Affairs of the Church and
State. And what miserable effects and sad events, this neg-

* Job 38. 11.

left of the great Council, and preferring of unknown and private Councils before it, hath produced; let the present Distractions of this Kingdom bear witness, (with all the bloody, unchristian Wars, Taxes, Oppressions, Distractions, since the Armies force upon the King, Members, Houses, Anno 1647, and 1648. in this present time.)

Concerning the Second, it sufficiently appears by the making the Kings Court, by the Force and Power of the Kings Army; the Sanctuary and refuge of All sorts of Delinquents against the Parliament and Kingdom, and protecting and defending them from the Justice thereof; and by admitting such to bear places of great trust in the Army, and to stand in defiance of the Parliament and the Authority thereof; (and is it not a far greater crime to make the Parliaments Army it self, a Delinquent against the Parliament and Kingdom; the sanctuary of such Delinquents against both, and to continue such Officers in places of greatest trust in the Army, who have levied actual war against the Parliament, secluded, secured members of Parliament, kept divers years under their armed guards in defiance of the Parliament, without any particular Charge or Impeachment, refusing to release them, even when the Serjeant was sent at first from the House it self, to demand the Members seized?)

By all which it is apparent, how our Privileges have been torn from us by piece-meals, from time to time. And we might mention many passages, whereby they were endeavoured to be pulled up by the root, and totally subverted. As the attempt to bring up the late Army from the North to force Conditions upon the Parliament: His Majesties Letters and Commands to the Members of both Houses (which found obedience in a great many) to attend him at York; and so, By depriving the Parliament of their Members, destroy the whole Body: (And was not the actual twice bringing up of the Parliaments own Army, by the Army Officers, against the Parliament it self, to impeach, secure some principal Members of both Houses; seclude the Majority of the Commons House, suppress the whole House of Lords; break off the Treaty, behead the King,

(the

* And are they not so now, almost past hopes of any future re-planting?

(the " Head of the Parliament) against the Parliaments Votes, alter the Government, force conditions on the Parliament it self, to omit the 12, 21, 24, 32, 37, 38, 39 Articles of their New Government, with the including of all the Members lately admitted by Armed Souldiers, till they took a New Engagement, and keeping out all others) a taking of the Privileges of the Parliament from them all by Whole-sale, and a more desperate pulling up by the Roots, and total subversion of all the Priviledges and whole Body of the Parliament, than this objected against the Northern Army, or the Kings Jesuitical ill Council ?) Which is enough to prove the vanity of the Contrivers of that Declaration (and of the Army Officers too) to feed themselves with hope of belief, That the Priviledges of Parliament are not Violated, but intended to be preserved, with all due observance.

Concerning the Allegation, That the Army raised by the Parliament, is to murder the KING, (oft alledged by the * King and his Party, in many printed PROCLAMATIONS, Declarations before and after this here mentioned) We hoped the Contrivers of that Declaration, or any that professed but the name of a Christian, could not have so little charity as to raise such a SCANDAL, especially when they must needs know, the * Protestation taken by every Member of both Houses (and Army Officers too) whereby they promise in the presence of Almighty God, TO DEFEND HIS MAJESTIES PERSON. The Promise and Protestation made by the Members of both Houses upon the nomination of the Earl of Essex to be General, and to live and die with him; wherein is expressed, THAT THIS ARMY WAS RAISED FOR DEFENCE OF THE KINGS PERSON, Our oft, earnest, and most humble Address to his Majesty to leave that desperate and dangerous Army, &c. A request inconsistent with any purpose to offer the least violence to His Person, which hath, and ever shall be dear unto us.

And concerning the imputation laid to our Charge, of Raising this Army, to Alter the whole Frame of Government and Established Laws of the Land, (which the King

* Modus tenendi Parliamentum. Cook 4. Instit. c. 1.

Exact Coll. p. 550. 595. 321, 322, 364. 618. 894, 895. 919, 920. A Collection of Ordinances, p. 28 39. 116.

117. * Let those who took it, remember their violations of it, & repent. See Exact Collect. p. 497, 498.

* Was this verified by many of these R. m-n-strants ?

* Exact Coll. P. 262, 282. 284. to 289. 297, 298, 490. 424, 500, 502, 404, 514, 517. 521, 522, 526. 528, 530, 531, 534, 550, 551, 554, 558, 561, 564, 574. A Collection, p. 117, 452, 453. * and his party * frequently objected in print) we shall need give no other Answer but this : That the Army Raised by the Parliament is to no other end, but for the Preservation of his Majesties Person, to Defend themselves, the Laws of the Land, and the true Protestant Religion. After which, they there and elsewhere conclude. * And by this time (we doubt not) but every man doth plainly discern through the Mask and Visard of their Hypocrisie, what their (the Kings ill Counsels) design is, To Subject both King and Parliament and Kingdom to their needy, Ambitious, and Avaritious Spirits, and to the violent Laws, Martial law, of Governing the People by guards and by the Souldiers.

* Exact Coll. p. 688, 689. 696, 697.

* So filed, Exact Col. p. 4. 12. 34. 61. 243. 262. 321. 500, 502. in the Decl. of the Lords & Commons concerning His Majesties Proclamation, June 6. 1642. p. 4. besides the authorities in the 1. chap.

But alas for grief, how superlatively have many of the Army Officers, and their confederate members (though parties to these *Declarations* and *Protestations*) violated them, and both Houses Faiths, Trusts, intentions, ends in raising the Army, in every of these particulars ? How have they verified, justified the Kings *Declarations*, *Jealousies*, concerning the Parliaments Army, in every point, here (and * elsewhere) disclaimed by both Houses ? How have they exceeded, out-acted the Kings *Jesuitical* Counsellors, and most desperate *Popish Army*, in violating, subverting both the Parliaments Priviledges, Members and Parliaments themselves, together with our * *Fundamental Laws*, *Liberties*, *Government* ; for whose preservation they were only raised, paid ? How have they pursued the Kings and his worst *Jesuited Counsellors* footsteps in all the charges here objected against them by both Houses, in relation to the Parliaments priviledges, Members, Constitution, Rights, Laws, to their utter subversion, dissolution, and waged war against them ? And doth not every man plainly discern through the Mask and Visard of their Hypocrisie, (to use both Houses expressions) that their design is just the same with that here objected by the Parliament to the Kings ill Jesuited Counsellors, and *Popish army* ; even to subject both King, Parliament and Kingdom, to their needy, ambitious, avaritious Spirits, and to the violent Laws, marshal Law, of Governing the

the People, (yea Parliaments themselves) by Guards, and by the Souldiers? and 'By Conquest to establish an absolute and unlimited power over the Parliament and good Subjects of this Kingdom; as the Houses * elsewhere thrice objected against the late King, his Army and party: being the very design (as many wisemen fear) of the 27 Article of their *New Government*; to settle a 'constant Annual revenue for the maintenance of 20000 Foot, & 10000 Horse and Dragoones, (to be alwayes constantly, kept up Winter and Summer, without disbanding or diminution) for the Defence and Security of *England, Scotland, and Ireland?* Which must henceforth be kept under by *Mercenary Forces*, to guard of *Protectors*, when as the * *Heathen Poet* assures us, *Integer vita scelerisq; purus, non eget Mauri jaculis nec arcu*; much less our *English Nation*, ever formerly secured by their own *unmercenary Militia* of the *Trained Bands*, and those Lords and Gentlemen who hold their Lands by Knight-service. O that they would now in the name and fear of God (as they tender the eternal salvation of their Souls, the honour and priviledges of all future Parliaments, the ease, welfare, settlement of our Nation) Lay all this most seriously to their Hearts, and make it a matter of their *greatest lamentation*, and repentance! Besides this, have they not falsified that memorable * late Declaration of the Lords and Commons assembled in Parliament, Novemb. 2. 1642. in Answer to his Majesties (well worthy perusal now) and made good (both for the time past, and all succeeding Parliaments, whiles there shall be any standing Army in *England* able to over-power them) all the *odious, scandalous positions*, in relation to the *English Parliament*, its Members and priviledges (deduced from the Kings Declaration, only by inference, but disclaimed by the King) summed up by them, in the close of that *Remonstrance*, and published in these ensuing terms, as will evidently appear, if applied to the *Army*, and their *Generall Council of Officers*, by adding or exchanging their names, only for the Kings in a parenthesis?

Exa^t Coll.
p. 617. 631,
of the 27 Article of 730.

Hor. 100.

Exa^t Col.
p. 686, to 730.

* Exact coll.
P. 729.

See their Declara-
tions &
Papers of Aug.
7. 1647. D. c. 7
& Jan. 3. 1648
where they
thus Declare
and brand
them.

* Quo d pluri-
bus visum pro-
batumque fue-
rit, id in OM-
NIBUS RE-
BUS-PUB-
LICIS VA-
LET. In O-
ligarchia enim
& Aristocratia,
& Democratia,
quod eorum
qui Rempubli-
cam gerunt,
MAJORI
PARTIS
PLACUE-
RIT, i. e. RA-
TUM AC
FIRMUM.

Politicorum 1.
4. c. 8. See
33 H. 8. c.
27.

* Which now
they do.

1. * That the King (the * Army, General, and their Gene-
ral Councel of Officers) when he pleaseth, may declare
the Major part of both Houses, (which in all sorts of Re-
publick doth, yea ought of right to oversway the Minority, &
their Votes to be firm and binding to all men, as * Aristotle
himself resolves;) a faction of Malignant, Schismatical, and
ambitious Persons: so that all Parliaments that have been
heretofore and SHALL BE HEREAFTER, AND
ALL LAWS MADE IN THEM. may by this means
be called in question at pleasure; (yea nulled and repealed
for ever, as some former Parliaments have been, when held
and over-awed by armed power, or unduly elected, packed, sum-
moned without Lawfull Authority, or some of the Mem-
bers forcibly seclused, as you may read at large in the Sta-
tutes of 21 R. 2. c. 11, 12, 16, 17, 18. 1 H. 4. c. 3. 1 H.
4. Rot. Parl. n. 22, 23, 36, 48, 66, 70. 113. 39 H. 6. c. 1. &
17 E. 4. c. 7. worthy the serious perusal of our present
Grandees, and all illegitimate Parliaments, where they
may read the fatal end of all new unparliamentary projects,
laws, devices, wherein many now so much glory, as if they
would continue firm for ever: when as in a few years
space, they will all probably prove nullities, be for-
ever reversed; yea, branded to posterity, as most pernicious
presidents.

2. That his Majesty (the Army and their General Coun-
cel) may declare what is the known Law of the Land, a-
gainst the judgement of the Highest Court, and conse-
quently of all his Courts: So that the safety and right of
King and people, and THE LAW IT SELF must depend
upon his Majesties (the Army, General, and their Coun-
cel) pleasure.

4. * That as the King hath a property in his Townes,
Forts, and Kingdoms; so he (the Army and their General
Councel) may * dispose of them as he pleaseth; and the Re-
presentative body of the whole Kingdom may not inter-
meddle in discharge of his Majesties (the Armies, Generals,
Councels) trust, though by the advice of evil Counsellors
they see it diverted to the hazard of the publique peace &
safety of the Kingdom.

5. That

5. That his Majesty (*the Army, General, and their Council*) or any other person, may upon suggestions and pre-
tences of Treason, Felony, or breach of peace (*or of their Trusts, a fourth * Army new-minted cause*) Take
the Members of Parliament, without giving satisfaction
to the House, whereof they are Members, of the grounds
of such suggestion or accusation, and without and against
their *consent* (as in the case of the late secured, secluded
Members, and their two *Junts.*'s since) *so they may* * Dis-
member a Parliament, when they please, and make it
what they will, when they will.

* See their im-
peachment of
the xi. Mem-
bers, & the
humble An-
swer of the
Gen. Council
& Officers of
the Army, &c.
Jan. 3. 1648.
* Have they
not lately
done so since
this was pen-
ned, as well
as hereto-
fore ?

6. That whosoever shall follow the King (*Army, Ge-
neral and their Council,*) in the wars (*against the Par-
liament*) though it were to destroy Laws, Liberty, Re-
ligion, the Parliament itself, and the whole Kingdom ;
yet he shall be free from all crime or punishment. And
that on the other side, to oppose by force any such force,
though in the most Legal way, and by authority of the
Representative body of the whole Kingdom, is to leavy
war against the King (*Army, General*) and TREASON
(within the Letter of 25 E. 3. or of their new Knacks
since :) So our Lands, Liberties, Lives, Religion, and
Laws themselves, *Whereby all the Rights both of King and
People are due to them, and preserved for them,* shall be at the
sole will and pleasure of the Prince (*Army, General, and Ge-
neral Council of Officers, in their new High Courts of In-
justice, or other Martial Judicatories, as now they are.*)

O consider, consider seriously by these particulars, to
what a sad, low, despicable condition all English Parlia-
ments are now for ever reduced, and their pristine antient
Priviledges, Honor, Freedom, Power, violently ravished
from them by the late Army practises, violences, and re-
bellious insolencies against them, never to be parallel'd in
any age; which hath really verified this clause in the De-
claration of both Houses, * *August 4. 1642.* objected a-
gainst the King and his popish Army, in relation to the
Parliaments Army, purposely raised, commissioned, & enga-
ged for their defence. That if the King (*by his Army*)

* Exa^{ct} coll.
P. 496.

* may

* Exact coll.

P. 729.

See their Declarations & Papers of Aug. 7. 1647. D. c. 7. & Jan. 3. 1648 where they thus Declare and brand them.

* Quod pluribus visum probatumque fuerit, id in OMNIBUS PUBLICIS VALET. In Oligarchia enim & Aristocratia, & Democratia, quod eorum qui Rempublicam gerunt, MAJORI PARTIS PLACUERIT, i. e. RATUM AC FIRMUM. Politicorum l. 4. c. 8. See 33 H. 8. c. 27.

1. * That the King (the *Army, General, and their General Council of Officers) when he pleaseth, may declare the Major part of both Houses, (which in all sorts of Republickly doth, yea ought of right to overway the Minority, & their Votes to be firm and binding to all men, as * Aristotle himself resolves;) a faction of Malignant, Schismatical, and ambitious Persons: so that all Parliaments that have been heretofore and SHALL BE HEREAFTER, AND ALL LAWS MADE IN THEM. may by this means be called in question at pleasure; (yea null'd and repealed for ever, as some former Parliaments have been, when held and over-awed by armed power, or unduly elected, packed, summoned without Lawfull Authority, or some of the Members forcibly secluded, as you may read at large in the Statutes of 21 R. 2. c. 11, 12, 16, 17, 18. 1 H. 4. c. 3. 1 H. 4. Rot. Parl. n. 22, 23, 36, 48, 66, 70. 113. 39 H. 6. c. 1. & 17 E. 4. c. 7. worthy the serious perusal of our present Grandees, and all illegitimate Parliaments, where they may read the fatal end of all new unparliamentary projects, laws, devices, wherein many now so much glory, as if they would continue firm for ever: when as in a few years space, they will all probably prove nullities, be for ever reversed; yea, branded to posterity, as most pernicious presidents.

2. That his Majesty (the Army and their General Council) may declare what is the known Law of the Land, against the judgement of the Highest Court, and consequently of all his Courts: So that the safety and right of King and people, and THE LAW IT SELF must depend upon his Majesties (the Army, General, and their Councils) pleasure.

4. * That as the King hath a property in his Townes, Forts, and Kingdoms; so he (the Army and their General Council) may * dispose of them as he pleaseth; and the Representative body of the whole Kingdom may not intermeddle in discharge of his Majesties (the Armies, Generals, Councils) trust, though by the advice of evil Counsellors they see it diverted to the hazard of the publique peace & safety of the Kingdom.

5. That

* Which now they do.

5. That his Majesty (*the Army, General, and their Council*) or any other person, may upon suggestions and pretences of Treason, Felony, or breach of peace (*or of their Trusts, a fourth * Army new-minded cause*) Take the Members of Parliament, without giving satisfaction to the House, whereof they are Members, of the grounds of such suggestion or accusation, and without and against their consent (*as in the case of the late secured, secluded Members, and their two Junct.'s since*) so they may * Dis- member a Parliament, when they please, and make it what they will, when they will.

* See their impeachment of the xi. Members, & the humble Answer of the Gen. Council & Officers of the Army, &c. Jan. 3. 1648. * Have they not lately done so since this was penned, as well as heretofore?

6. That whosoever shall follow the King (*Army, General and their Council,*) in the wars (*against the Parliament*) though it were to destroy Laws, Liberty, Religion, the Parliament it self, and the whole Kingdom; yet he shall be free from all crime or punishment. And that on the other side, to oppose by force any such force, though in the most Legal way, and by authority of the Representative body of the whole Kingdom, is to leavy war against the King (*Army, General*) and TREASON (*within the Letter of 25 E. 3. or of their new Knacks since:*) So our Lands, Liberties, Lives, Religion, and Laws themselves, *Whereby all the Rights both of King and People are due to them, and preserved for them,* shall be at the sole will and pleasure of the Prince (*Army, General, and General Council of Officers, in their new High Courts of Injustice, or other Martial Judicatories, as now they are.*)

O consider, consider seriously by these particulars, to what a sad, low, despicable condition all English Parliaments are now for ever reduced, and their pristine antient Priviledges, Honor, Freedom, Power, violently ravished from them by the late Army practices, violences, and rebellious insolencies against them, never to be parallel'd in any age; which hath really verified this clause in the Declaration of both Houses, * August 4. 1642. objected against the King and his popish Army, in relation to the Parliaments Army, purposely raised, commissioned, & engaged for their defence. That if the King (*by his Army*)

may.

* Exact coll. P. 496.

* And are
they not so
lost now?

* *Epistola ad
solitarius Vi-
tam agentes.*
Sir Christopher
Sybthorpe his
Reply to an
Answer made
by a Popish
Adversary,
Dublin 1625.
p. 27, 28, 29.

' may force this Parliament (as the Parliaments Army both
' forced and dissolved it) *they may bid farewell* to all Par-
' liaments, for ever receiving good by them ; And if Par-
' liaments be * lost, they (the People) are lost, their Laws
' are lost, as well those lately made, as in former times ,
' *ALL WHICH WILL BE CVT IN SVNDER WITH*
' *THE SAME SWORD, NOW DRAWN FOR THE*
' *DESTRUCTION OF THIS PARLIAMENT :* (as
' we now find true by sad experience.)

* *Athanasius*, Bishop of *Alexandria* (about the year
of our Lord 340.) objected this as a great crime, barba-
rism, cruelty, and violation of the privileges of Councils,
to the *Arrian* Emperour *Constantius*. ' That whensoever
' he called a Council or Assembly of Bishops, it was but
' for a shew : For he would not permit them to be guided
' by the Ecclesiastical Canons, but his Will alone must be
' their only Canon. And when they advised him, not to
' subvert the Ecclesiastical order, nor bring the *Arrian*
' *Heretic* into the Church of God, he would neither hear,
' nor permit them to speak freely ; but grievously bending
' his brows (if they had spoken cross to his designs) and
' *SHAKING HIS SWORD AT THEM, COMMAN-*
' *DED THEM TO BE TAKEN AWAY.* Where-
' upon he thus *insets*, What Liberty for perswasion, or place
' for advice is there left, when he that contradicteth, shall
' for his labour lose *either his Life, or his Country* ? Why
' hath the Emperour gathered so great a number of Bishops,
' partly terrified with threats, partly incited with promises,
' to condescend, that they will not communicate with *A-*
' *thanasius* ? And *Hilary* Bishop of *Poitou* Ann. 360. in
his first Book against this Tyrannical *Arrian* Emperour
Constantius, thus censures his violent proceedings of this
kind, to the subversion of the *freedom* and *priviledge* of
Councils and their members. *Thou gatherest COUNCILS,*
and when they be shut up together in one City, thou TERRI-
FIEST THEM WITH THREATS, THOU PI-
NEST THEM WITH HVNGER, THOU LAMEST
THEM WITH COLD, (as the Army Officers did the
excluded

secluded Members 6 and 7 Decemb. 1648. when they shut them up all night in Hell, on the bare boards without beds in the cold, and kept them fasting all the next day at Whitehall, til 7 a clock at night) Thou depravest them with Dissembling; O THOU WICKED ONE, what a mockery dost thou make of the Church and Councils? Only Dogs return to their Vomits; and thou compellest the Priests of Christ, to sup up those things which they have disgorged, and commandest them in their confessions, to allow that WHICH BEFORE THEY CONDEMNED. What Bishops hast thou left innocent? What tongue hast thou not forced to falshood? Whose hearts hast thou not brought to the condemning of his former opinion? Thou hast subjected all to thy will, yea, to thy violence. And have not some swaying Army Officers, by their frowns, menaces, frauds, Swords, open force upon the Parliament and its Members, beyond all the presidents in any ages, done the like, and exceeded this Arriv-
an Tyrant herein? And is it not then high time for all friends to Parliaments, to protest and provide against such detestable, treasonable violences for the future, destructive to all Parliaments, if permitted, or silently pretermitted without question, exemplary censure, righting of the imprisoned Members, or any provision to redresse them for the future?

Our prudent Ancesters were so carefull to prevent all violence, force, arms, and armed men, in or near any places where Parliaments were held, to terrifie, over-awe, or disturb their proceedings or Members; * That in the Parliament of 7 E. 1. (as you may read in *Rastals Abridgement*, Armour, 1. Provision was made by the King, by common consent of the Prelates, Earls, and Barons, by a general act, That in all Parliaments, Treaties, and other Assemblies, * which should be made in the Realm of England FOREVER, every man shall come without Force, and without Armour, well and peaceably to the honour of the King, and of the peace of him, and of his Realm, and they together with the Commonalty of the Realm upon solemn advise, declared, That it belonged to the King, and his part it is by his Royal

* See the Declaration of the Lords and Commons, June 6. 1642. concerning this Statute.

Signiory strictly to defend wearing of Armour, and all other Force, against his peace at all times, when it shall please him (especially at such times, and in places where such Parliaments, Treaties, and Assemblies are held) and to punish them which shall doe contrary according to the Laws and usage of the Realm. And hereunto they are bound to aid the King, as their Sovereign Lord, at all seasons when need shall be. Hereupon our Kings ever since this statute, by virtue thereof, and by the law and Custom of the PARLIAMENT, (as Sir Edward Cook in his 4 Institutes c. 1. p. 14. informs us) did at the beginning of every Parliament, make a speciall Proclamation, Prohibiting the bearing of Arms or weapons, in or near the places, where the Parliament sate, under pain of forfeiting all they had; Of which there are sundry presidents cited by Sir Edward Cook in his Margin; whereof I shall transcribe but one (which he omits) and that is 6 E. 3. Rot. Parliament n. 2. 3. 'Because that before these days, at the Parliaments and Counsels of our Lord the King, Debates, Riots and commotions have risen and been moved, for that People have come to the places where Parliaments have been summoned and assembled, armed with privy coats of plate, spears, swords, long knives, (or daggers) and other sort of arms, by which the businesses of our Lord the King and his Realm have been impeached, and the great men which have come thither by his command, have been affrighted: Our Lord the King, willing to provide remedy against such mischiefs, defendeth, that no man of what estate or condition soever he be, upon pain of forfeiting all that he may forfeit, to the King, shall be seen armed with a Coat of Mail, nor yet of plate, nor with an Halberd, nor with a spear, nor sword, nor long knife, nor any other suspicious arms, within the City of LONDON, nor within the Suburbs thereof; nor any place near the said City, nor yet within the Palace of WESTMINSTER, or any place near the said Palace, by Land or Water, under the foresaid pain: except only such of the Kings men

* Is not the quartering of Hofs and Foot in or near such places, to affright and overawe Parliaments and their Members, a Violation of this Law, Proclamation, Law and Custom of all English Parliaments, fit to be redressed?

men as he shall depute, or by his command shall be deputed to keep the peace within the said places : and also except the Kings servants, according to the Statute of *Northampton*. And it is not the intention of our Lord the King, that any Earl, or Baron may not have his Lince brought to him in any place, but onely in the Kings presence, and in the place of Councell. The like Proclamations were made in the beginning of the *Parliaments* of 9. 13. 17. 18. 19. 25. *Edw.* 3. and sundry others more necessary to be revived in all succeeding English *Parliaments* now, than ever heretofore, since the unpresidented forces upon the late Members of both Houses, and the Parliament it self, by the Army-Officers and Souldiers, raised to defend them from Violence : The Treasonableness and Transcendency whereof being at large related in my Epistle to the Reader, before my Speech in Parliament 4 *December* 1648. I shall not here criminally presse, nor insist on, but referre them therunto : However for the future security and freedom of our *Parliaments* from violence, I must crave liberty to inform these *Army Parliaments, drivers, forcers, dissolvers*, (habituated to this trade) That if the *late Kings* march to the *House of Commons*, accompanied only with some of his Pensioners and others, armed with Pistols and Swords, meerly to demand but five Members thereof to be delivered up to Justice, particularly impeached by him of High Treason some dayes before: to wit, *That they had traiterously endeavoured to subvert the Fundamental Laws and Government of this Kingdome: To deprive the King of his Royal power: To place over the Subjects an Arbitrary and Tyrannical power, To subvert the very Rights and being of Parliaments: and by force and terrour to compell the Parliament to joyn with them in their designs; for which end they had actually raised and countenanced Tumults against the King and Parliament.*

Or if the *Kings* dare tampering with some Officers of his own Northern Army, to draw a Petition from them to the Houses, or march towards London from

*Exact coll.
P. 34. 56. 66,
67, 68, 76, 77,
198, 200, 201,
202, 246, 695,
723. 729.

*Let those observe this Impeachment, who are now really guilty of it in the highest degree.

*Exact Coll.
P. 118, 195,
207. to 237.
248, 273, 293.
523, 524, 525,
612, 631, 660,
their 695.

* Exact Coll.
in the pages
quoted before.

* their quarters; (not to seise upon, force or dissolve the
* Parliament or its Members, but only to over-aw them,
* and impeach the freedom of their debates, Votes tou-
* ching Episcopacy, Church-Government, and the
* Kings Revenues) were such high transcendent violati-
* ons of the Priviledges and Freedome of Parliament,
* and unsufferable injuries, as both Houses of Parliament
* separately, and joyntly proclaimed them to all the
* world, in * severall Declarations, during his life;
Or such capitall crimes, as those who condemned and
executed him for a *Traitor and Tyrant*, have published in
their Declaration of 17 March 1648. (touching the grounds
of their proceedings against him, and setting the Governments
in the way of a Free State, without King or House of Lords)
since his beheading, in these very words. 'But ABOVE
* ALL, the English army was laboured by the King to be
* engaged against the English Parliament; a thing of that
* strange impiety and unnaturalness for the King of England,
* that nothing can answer it, but his being a Forraigner; nei-
* ther could it have easily purchased belief, but by his suc-
* ceeding visible actions in full pursuance of the same; as
* the Kings comming in Person to the House of Commons,
* to seise the five Members, whither he was followed
* with some hundreds of unworthy debauched persons,
* armed with swords, and pistols, and other arms; and
* they attending him at the door of the House, ready to
* execute what the Leader should command them. Which
they charged against the King, as the highest of his unpar-
rallled Offences; for which they appeal to all the world of in-
different men to judge, whether they had not sufficient cause
to bring him to Justice? Though neither he nor his follow-
ers then seized, secured, secluded, injured any one Member,
when they thus went to the Commons House; Yea, * presen-
tly retracted his Impeachment, and offered all satisfaction that
should be desired by the House for this breach of Privilege; and
though neither the Northern Army, nor their Officers ever
advanced towards, or offered the least violence to the Hou-
ses, or their priviledges, by Petition or otherwise.

* Exact Coll.
p. 51, 52, 54.
66, 67. and
elsewhere.

Then

Then certainly the Parliaments own Armies Officers, Counsels, manifold high printed *Declarations*, of June 14. 23. July 7. Aug. 18. 1647. Nov. 16. & Decemb 7. 1648. and others before and since, their professed open Op-positions, Impeachments, against the very Proceedings, Votes, Orders, Ordinances, Members of both Houses of Parliament, which first raised them principally for their defence; [*Printed by their order in their Book of Declarations, The History of Independency, and my Speech in Parliament,*] their Impeachment of eleven Members of the House of Commons, and sundry Lords at once; their securing of above 40, and secluding of above five parts of six of the whole House of Commons at once; their avowed marches with the whole Body of the Army, in *Battalia*, severall times to force the Houses, seise their Members, over-aw, affright, dis-member, dissolve the Parliament it self, and their own new erected Junctoes since, and justification of it to all the world in print [*in their humble Answer touching the secured and secluded Members,* Jan. 3. 1648. *The true state of the case of the Commonwealth of England, 1654. and their Declarations concerning their dissolution of their two Junctoes*] after these Mildemeanours of the King, without the least repentance for them, must needs be farre more execrable, unwarrantable and criminal, than the Kings, and deserve a severer censure than his Peccadillioes in respect of their crimes. And if by the whole Armies printed *Remonstrances*, August 2. and 18. 1647. the tumult of some unarmed *London Apprentices*, who offered some small force to the Houses, to the violation of their Priviledges, (without securing or secluding any one Member) deserved a speedy and exemplary capital proceeding against the principal contrivers and Actors in it, as they then declared, and vehemently urged again and again in those *Remonstrances*) Or if by their own Charge in the Name of the whole Army, June 14. 1647. against the XI. Members, it was so high an offence in them, *That they joyntly or severally inviled, encouraged, abetted or countenanced several*

* See their Declaration of June 23. 1647. & Aug. 18. Dec. 6. 1648

* And their Generals Letter from *Bedford*, 29 July 1647.

* See a Declaration of the Gen Council & Armies Engagements, &c. p. 49.

Re-

* Exact Coll.
in the pages
quoted before.

their quarters; (not to seise upon, force or dissolve the Parliament or its Members, but only to over-aw them, and impeach the freedom of their debates, Votes touching Episcopacy, Church-Government, and the Kings Revenues) were such high transcendent violations of the Priviledges and Freedome of Parliament, and unsufferable injuries, as both Houses of Parliament separately, and joynly proclaimed them to all the world, in * severall Declarations, during his life; Or such capitall crimes, as those who condemned and executed him for a Traytor and Tyrant, have published in their Declaration of 17 March 1648. (touching the grounds of their proceedings against him, and sailing the Government in the way of a Free State, without King or House of Lords) since his beheading, in these very words. But ABOVE ALL, the English army was laboured by the King to be engaged against the English Parliament; a thing of that strange impiety and unnaturallness for the King of England, that nothing can answer it, but his being a Forraigner; neither could it have easily purchased belief, but by his succeeding visible actions in full pursuance of the same; as the Kings comming in Person to the House of Commons, to seise the five Members, whither he was followed with some hundreds of unworthy debauched persons, armed with swords, and pistols, and other arms; and they attending him at the door of the House, ready to execute what the Leader should command them. Which they charged against the King, as the highest of his unparalleled Offences; for which they appeal to all the world of indifferent men to judge, whether they had not sufficient cause to bring him to Justice? Though neither he nor his followers then seized, secured, secluded, injured any one Member, when they thus went to the Commons House; Yea, * presently retracted his Impeachment, and offered all satisfaction that should be desired by the House for this breach of Privilege; and though neither the Northern Army, nor their Officers ever advanced towards, or offered the least violence to the Houses, or their priviledges, by Petition or otherwise.

* Exact Coll.
p. 51, 52, 54.
66, 67, and
elsewhere.

Then

Then certainly the Parliaments own Armies Officers, Counsels, manifold high printed *Declarations*, of *June 14. 23. July 7. Aug. 18. 1647. Nov. 16. & Decemb. 7. 1648. and others before and since*, their professed open Oppositions, Impeachments, against the very Proceedings, Votes, Orders, Ordinances, Members of both Houses of Parliament, which first raised them principally for their defence; [*Printed by their order in their Book of Declarations, The History of Independency, and my Speech in Parliament,*] their Impeachment of eleven Members of the House of Commons, and sundry Lords at once; their securing of above 40, and secluding of above five parts of six of the whole House of Commons at once; their avowed marches with the whole Body of the Army, in Battalia, severall times to force the Houses, seise their Members, over-aw, affright, dis-member, dissolve the Parliament it self, and their own new erected Junctoes since, and justification of it to all the world in print [*in their humble Answer touching the secured and secluded Members, Jan. 3. 1648. The true state of the case of the Commonwealth of England, 1654. and their Declarations concerning their dissolution of their two Junctoes*] after these Mildemeanours of the King, without the least repentance for them, must needs be farre more execrable, unwarrantable and criminal, than the Kings, and deserve a severer censure than his Peccadillioes in respect of their crimes. And if by the whole Armies printed *Remonstrances*, August 2. and 18. 1647. the tumult of some unarmed London Apprentices, who offered some small force to the Houses, to the violation of their Priviledges, (without securing or secluding any one Member) delivered a speedy and exemplary capital proceeding against the principal contrivers and Actors in it; as they then declared, and vehemently urged again and again in those *Remonstrances*) Or if by their own Charge in the Name of the whole Army, June 14. 1647. against the XI. Members, it was so high an offence in them, That they joyntly or severally invited, encouraged, abetted or countenanced several

* See their Declaration of June 23. 1647. & Aug. 18. Dec. 6. 1648

* And their Generals Letter from Bedford, 29 July 1647.

* See a Declaration of the Gen. Council & Armies Engagements, &c. P. 49.

Reformadoes, and OTHER OFFICERS AND SOLDIERS TUMULTUOUSLY AND VIOLENTLY TO GATHER TOGETHER AT WESTMINSTER, TO AFFRIGHT & ASSAULT THE MEMBERS OF PARLIAMENT IN PASSAGES TO & FROM THE HOUSE, TO OFFER VIOLENCE TO THE HOUSE IT SELF, & BY SUCH VNRVLY OVRAGES & THREATS TO AWE AND INFORCE THE PARLIAMENT; And that upon their bare suggestion thereof (without any proof at all, or colour of truth) they presently demanded, That the persons impeached MIGHT BE FORTHWITH SECLYDED FROM SITTING IN THE HOUSE, and removed thence, before any hearing or trial, which the Officers and Army eagerly pressed in their Paper of June 15. 1647. Nay, if by their own late printed 'Instrument of the Government of the Commonwealth of England, &c. Articles 14. 16. 'All and every person and persons, who have aided, advised, assisted, or abetted in any war against the Parliament since the first day of January, 1641. (unless they have since been in the Service of the Parliament, and given signal testimony of their good affections thereunto) shall be disabled, and be incapable to be elected, or to give any Vote in the Election of any Member to serve in the next, or in the three succeeding triennial Parliaments: and all Votes and Elections given to the contrary, shall be null and void. And if any person so made incapable, shall forfeit one full years value of his real estate, and one full third part of his personal estate, in case he shall give his Vote for election of Members to serve in Parliament: as they there adjudge; though such persons as they intend thus to disable, never waged any actual war against the Parliament it self, or its Members, immediatly, but only against the Forces raised by the Parliament, and so mediately and indirectly only against the Parliament, (the case of all the late Kings adherents and assistants, not within the letter, but meaning of these Articles :) then doubtless those Army-Officers, Souldiers, and

and their Confederats, who 'advised, aided, assisted abetted in
'one or more wars against the Parliament Houses, and Par-
liament Members themselves, whom they immediately as-
saulted, forced, secured, secluded, dissipated, dissolved, de-
stroyed, and have justified it several times in print, 'without
'giving any signal testimony of their good affections to the
'Parliament; and in this their Instrument have laid *ma-
ny Chains, clogs, restraints, on all new future Parliaments, *Article 10,*
of their own framing, inconsistent with the Honour, Freedom, *11, 21, 22, 24,*
Priviledges, being of real English Parliaments; deserve a *27, 30, 32, 36,*
farre higher and severer censure than these Apprentices, or *37, 38, 39.*
impeached Members did in their repute; or those Mem-
bers they most insolently accuse and impeach, in their De-
clarations of June 23. and August 18. 1647. (not to be
presidented in any age since the Creation, till then;) and
they all are by their own Verdict, Instrument, totally dis-
abled (as much as the archest Malignants and Cavaliers)
by the very letter of these Articles, to be elected, or give any
vote for the election of Members in the four next succeeding
Parliaments; and those who have given their Votes in the
late Elections, have thereby 'forfeited at least one full
'years value of their real, and one full third part of their
personal estates; and deserve as high, (if not an higher)
censure, as any sequestred, or other Delinquents condem-
ned formerly by them, for bearing arms, levying or abet-
ting any war, but only mediately against the Parliament;
and as high an incapacity to be put not only on themselves,
but their Heir males to serve in Parliament, as the Statute
of 21 R. 2. c. 6. imposed heretofore on others, for a farre
lesse offence, to secure the Members and Priviledges of
all succeeding Parliaments, from such unpresidented for-
cible violences, ruptures, dismembrings, dissolutions, as
the last Parliament sustained, by the Armies outrage and
confederacy against them, (of most dangerous president to
Posterity;) of which I desire to make them truly sensi-
ble.

The last real and *duly constituted English Parliament
we had, were so deeply sensible, of the dangerous destru-
ive

See Exact
Collect. p. 320
321, 322, 561,
the true and
excellent con-
stitution of our
Parliament.

* Exact Coll.
p. 723, 724.
726, 727.

Give Consequences of securing or secluding their Members, and keeping them from the Houses, upon any Impeachments or Surmises, without the Notice and consent of the House; that in their forementioned Remonstrance of Nov. 2. 1642. they claimed and asserted this, TO BE SO CLEAR AND ESSENTIAL A PRIVILEGE OF PARLIAMENT, THAT THE WHOLE FREEDOM THEREOF DEPENDETH UPON IT. That NO MEMBER OF EITHER HOUSE OF PARLIAMENT was to be proceeded against, or judged, NOR TAKEN AWAY, OR DETAINED FROM THE SERVICE OF THE HOUSE, WHEREOF HE IS A MEMBER; (no, not in case of Treason, Felony, or Breach of Peace, much lesse in any other) until such time as that House hath satisfaction concerning the cause: though in such cases they confessed, he might be arrested by the Officers of Parliament, or any other Ministers of Justice, to the intent only, That he might be brought to the Parliament Corpus cum causa, and detained in safe custody till he may be brought to the Parliament; but not to be proceeded against in any inferior Court, before such time as the cause be heard in Parliament, and dismissed from it. For (else) who sees not, that by this means, UNDER FALSE PRETENCES OF CRIMES AND ACCUSATIONS, SUCH AND SO MANY MEMBERS OF BOTH OR EITHER HOUSE OF PARLIAMENT MAY BE TAKEN OUT OF IT AT ANY TIME, BY ANY PERSONS TO SERVE A TURN, AND TO MAKE A MAJOR PART OF WHOM THEY WILL AT PLEASURE. And as the grand Inquest of the whole Kingdom should be (by this means) subject to the grand Inquest of one particular County; So the whole Representative Body of the Kingdom should be at the Devotion of a Middlesex Jury, (as since of their own Army, raised to protect them from these mischiefs.) And therefore, as THE FREEDOM OF PARLIAMENTS DEPENDETH IN A GREAT PART UPON THEIR PRIVILEGES, AND THE FREEDOM OF THIS NATION UPON THE FREEDOM OF PARLIAMENTS, WE HAVE GOOD REASON TO BE.

Nota.

Nota.

BELEIVE, that the People of England knowing their Lives and Fortunes are bound up in this bundle, will venture their Lives and Fortunes in this Quarrel: Which I intreat all those who have so highly infringed this principle Privilege of Parliament of late years, with all the people of England, now seriously to consider, to vindicate, preserve it in all succeeding ages from the like violations, if ever they expect to be Freemen, or to enjoy free English Parliaments again; * which are such an ESSENTIAL PART OF THE CONSTITUTION OF THE KINGDOM, that we can attain TO NO HAPPINESSE WITHOUT THEM, and like Hipocrates twins, We must laugh and cry, LIVE AND DIE TOGETHER WITH THEM. Exa^t Coll. p. 566.

Now farther to convince the Army-Officers, Souldiers, of their late great injustice to, and affronts, contempts against the Parliament which raised them, in relation to our ancient fundamental Government and chief Member of the Parliament; I shall desire them and all their confederates in cold blood, seriously to consider, whether they have not, by their undatifull, violent proceedings against them, contrary to the Votes, Declarations, Remonstrances of the PARLIAMENT; endeavoured (as much as in them is) to falsifie this clause in both Houses Declaration Nov. 2. 1642 * Although they would persuade his Majesty, That there is little confidence to be placed in our Modesty and Duty; yet, AS GOD IS WITNESSE OF

OUR THOUGHTS, SO SHALL OUR ACTIONS WITNESSE TO ALL THE WORLD; that TO THE HONOR OF OUR RELIGION, and OF THOSE WHO ARE MOST ZEALOUS IN IT ('so much struck en at by the contrivers of that Declaration, under odious names) we shall suffer more for and from our Sovereign, than we hope God will ever permit the malice of evil Counsellors to put us to: And although the happiness of this and all Kingdomes dependeth chiefly upon God; Yet WE ACKNOWLEDGE THAT IT DOETH SO MAINLY DEPEND UPON HIS MAJESTY, and THE ROYALL BRANCHES OF THAT

* How much it and they have been dishonoured by the contrary, let the Army Officers read at leisure in Militaire his Victory of Truth.

Nota.

Nota,

'ROOT, that as WE HAVE HERETOFORE, SO
'WE SHALL HEREAFTER, esteem no hazard too great,
'no reproach too vile; but that we shall willingly goe
'through the one, and undergoe the other, That we, and
'the WHOLE KINGDOME MAY ENJOY THAT
'HAPPINESSE, which we cannot in an ordinary way of
'providence expect FROM ANY OTHER FOUNTAIN
'OR STREAM, than those from whence (were the poi-
'son of evil Councels once removed from about them) no
'doubt, but we and THE WHOLE KINGDOME
'SHOULD BE SATISFIED MOST ABUNDANTLY.
And on the contrary, have they not fully and actually ve-
rified, in respect of themselves and their Confederates
in the Houses, this *Odius aspersum*, then (only in predi-
ction) cast by the KING on the PARLIAMENT, but by
them at that time renounced with greatest detestation;
and drawn those sad consequences on the whole Kingdom,
wherewith both HOUSES conclude that Declaration in
these words?

* Eccl. Col.
P. 730.

7: * *That the Representative Body of the whole King-
dom (since dissolved by the Army) is a Faction of
Malignant, Schismatical, ambitious Persons, whose DE-
SIGN IS AND ALWAYS HATH BEEN TO AL-
TER THE WHOLE FRAME OF GOVERNMENT,
BOTH OF CHURCH AND STATE, AND TO SUB-
JECT BOTH KING AND PEOPLE TO THEIR OWN
LAWLESSE ARBITRARY POWER AND GOVERN-
MENT, and that they DESIGN THE RUINE OF HIS
MAJESTIES PERSON and OF MONARCHY IT SELF:
and consequently that they are TRAITORS and all the King-
dome with them, (for their all is the all of the whole King-
dome) And whether their punishment and ruine may not also
INVOLVE THE WHOLE KINGDOM IN CONCLU-
SION, AND REDUCE IT INTO THE CONDITION
OF A CONQUERED NATION (as some ARMY OFFI-
CERS, & SOULDIERs openly averre we are now redu-
ced to by and under them) NO MAN CAN TELL: BUT
EXPERIENCE SHEWETH US (and now we find it
most*

and all Zealous Protestant Freemen of England,

most true in the * ARMY-OFFICERS, COVNCCELL, *Who in their
SOVLDIERS) THAT SVCCESSE OFTEN DRAWS Letters of July
MEN NOT ONELY BEYOND THEIR PROFES- 18. 1647. Pro-
SION; but also many times beyond their first inteni- positions of
ons. Aug. 2. and o-
ther of their
Declarations,

professed to all the world, That it was fully agreeable to all their Principles, & should
be their desires and endeavours to maintain Monarchy, the Priviledges and Freedom of
the Parliament; and the Rights of his Majesty and Royal Family, that so a lasting
Peace and Agreement might be sealed in this Nation, &c. which otherwise, they confessed
then in good earnest, could not be hoped for, nor expected. Whence they intituled their
Printed Books, A Declaration of the Engagements, Remonstrances, Representations, Pro-
posals, Desires, and Resolutions from his Excellency Sir Thomas Fairfax, and THE
GENERAL COUNCIL OF THE ARMY, FOR SETTLING OF HIS
MAJESTY IN HIS JUST RIGHTS, THE PARLIAMENT IN THEIR
JUST PRIVILEDGES, and THE SUBJECTS IN THEIR LIBERTIES
AND FREEDOMES: Printed by their and the Lords House special Order
London 1647. Let them now seriously consider and perform it in good earnest.

Surely as the Armies and their Confederates late pro-
ceedings in relation to themselves, (though not unto the
forced, dismembred, dissolved Parliament, and secured Mem-
bers) have fully verified this charge in every particular,
then reputed *most false and scandalous*; which I thus press
upon their consciences at this time, and so largely insist on,
not to defame or asperse them to the world, as many others
do, who apply that *black Character* of *Ier. 9. 2. to 6. c. 12.*
6. Rev. 3. 10. to 19. (They are all an ASSEMBLY OF
TREACHEROVS MEN: Thine habitation is in the
MIDST OF DECEIT, &c. Destruction and Misery are in
their wayes, and the way of Peace they have not known; there
is no fear of God before their eyes) unto them in a more emi-
nent manner, as being really verified by their unparalleled
exorbitances formentioned; but to vindicate the Innocency,
Integrity of the Majority and secluded Members of both
Houses, against the scandalous printed aspersions of *Mil-
litiere* and other *Papists*, to preserve and justify the Ho-
nour of our Reformed Religion, and of the most zealous
Professors thereof; to restore, re-establish if possible,
the Priviledget, the Freedom of all Future Parliaments,
much impaired, endangered by their heady violent *Proce-
dings*, and most pernicious Presidents to Posterity (if not

publicly abominated, exploded by them, or exemplarily punished (to deterr all others from their future imitation) to convince them by what Jesuitical, Popish, old Court-Principles, Counsellors, Practises, they have hitherto been misguided; and to reclaim them, as much as in me lieth, for the future, from the like destructive Practises, for the publick Safety, Peace, Settlement of our distracted Kingdoms; and do most earnestly beseech them, as they are English-men, Souldiers, Christians, seriously to repent of and lay to heart, lest they perish eternally, for them at last; as likewise to take heed, lest by teaching and instigating the Common Souldiers of the Army, to suppress, oppress, betray the Parliament, Kingdom, People, who raised, payed, and entrusted them only for their safeguard and defence, they do not thereby instruct and encourage them at last to betray and destroy themselves; it being a true observation of * Seneca the Philosopher, *Aliquando Tyrannorum prafidia in ipsos consurrexerunt. PERFIDIAMQVE ET IMPIETATEM ET FERITAREM, ET QVICQVID AB ILLIS DIDICERANT, IN IPSOS EXECRERVNT: Quid enim potest ab eo quisquam sperare, QVEM MALVM ESSE DOCVIT? Non diu paret, nequicia, nec quantum jubetur, peccat;* as we have seen by many late presidents: So the Army-Officers, Souldiers Great Successes in all their Wars, Designs, and forcible ill Proceedings against the King, Parliament, Kingdom, Government, Laws and Liberties; as it hath caused them not only beyond their Professions, but also beyond their first Intentions, Commissions, Pretestations, to forget that Gospel-precept given to Souldiers, Luke 3. 14. to advance themselves to a more absolute Sovereign arbitrary Power over them, than ever any Kings of England claimed or pretended to, (as their late Proceedings, Remonstrances, and transcendent Instrument of the Government of the three Kingdoms, manifest;) so it hath been the (f) principal Ground, whereby they have justified all their unpresidented forementioned Exorbitances, as lawfull, commendable, Christian: and that which hath struck such a stupifying pannick fear, such a stupendious cowardize,

* De Clement.
l. 1. c. 26.

(f) Psal. 37 7
Psal. 73 3, &c.
Ecclef. 8. 11,
12.

cowardize, baseness, sottishness, into the Generality of the Nobility, Gentry, Ministry, and Commons of our late most heroick English Nation, that there is scarce (1) a man (1) Eph. 12. to be found throughout the Realm of any Eminency (though 30. we should seek after him like Diogenes, with a Candle) that dares freely open his mouth against their most irregular, illegal, violent, destructive arbitrary Proceedings, Usurpations, Innovations, Oppressions, Taxes, Projects, the shaking and utter subverting of our ancient Fundamental Laws, Liberties, Rights, Properties, Parliaments, Parliamentary privileges, Government, and taking away of the very Lives of some (and thereby endangering the Lives of all other) English Freemen of all Degrees, in mischristened High Courts of Justice. Such a strange Charm is there in Success alone, to metamorphise Men into meer (v) tempo- (v) See 2 King. rising, slavish, sordid sets and beasts; yea, to cause not only 10. 1. 10 12. persons truly honourable, but the very (x) Devil himself, 10. 1. 10 12. and the worst of beasts, to be wondred after, applauded, ad- (x) Deut. 32. dored, not only as Saints, but Gods. We read Rev. 13. 17. 1 Cor. 10. of a Monster, deformed BEAST, to whom the Dragon 20. Rev. 9. 20. Eph. 2. 2. (the Devil) gave his Power, Seat and Great Authority; where- upon, all the world wondred after the Beast, and worshipped not onely the Dragon, that gave him power, but the Beast like- wise; saying, Who is like unto the Beast? WHO IS ABLE TO MAKE WAR WITH HIM? And there was given unto him a Mouth speaking Great things, and blasphemies, and power was given him to continue and make war forty and two months. And power was given unto him to make war with the SAINTS, AND TO OVERCOME THEM; and power was given him over all Kindreds, and Tongues, and Nations. And (HEREVON IT FOLLOWS) all that dwell upon the earth shall worship him, whose names are not written in the Lamb's Book of Life. And another Beast (under him) caused the earth and all that dwell therein to set up the Image of this Beast, and to worship it; and he caused all both small and great, rich and poor, free and bond, to receive the mark of the Beast in their right hand, and in their fore- heads; and none might buy or sell, but he that had this mark; and

and as many as would not worship this Beasts Image, were ordered to be killed. Yet this Blasphemous Beasts reign and power continued but forty two Months, Rev. 13. 5. This Beast, (in the height of his Power and Victories) was by God himself, threatened to go into captivity, and be killed with the Sword, as he had led others into captivity, and killed them with the Sword, ver. 10. All his followers and worshippers shall (soon after) drink of the wine of Gods wrath, and be tormented with fire and brimstone, &c. Rev. 14. 9, 10, 11. The Saints at last shall get the victory over this Beast, Rev. 15. 2. And the Beast himself (notwithstanding all his former Victories, Friends, and great Armies) was at last taken, and his false Prophet with him; and were both cast alive into a lake burning with fire and brimstone, and all his Forces were slain with the Sword, and the fowls were filled with their flesh, Rev. 19. 18, 19, 20, 21. From which Texts I have frequently silenced, confounded some of our conquering Army-Officers and Souldiers, whiles prisoner under them, when they were vapouring of their Great Victories, Successes, and concluding from thence, both their Saintsship, and the Goodness of their Actions; saying oft-times like the Beasts followers here, *Who is able to make war with us?* And that with these genuine deductions from these Texts, which they could not reply against; worthy all Souldiers and others saddest meditations.

1. That God may, nay oft-times doth give great power to the very worst and most blasphemous of all Men and Beasts; & that not only over one or two, but many Tongues, Nations, as in this Text, and Dan. 7. 3, 20, 29. c. 8. 4, 10, 27.

2. That such Beasts many times may, and do not onely make war with, but even overcome the very Saints themselves in battel, as the Babylonians, Assyrians, and other ungodly Beasts did the Israelites, Gods own Saints and People, Psa. 79. 1, 2, &c. Dan. 7. 21, 23, 24, 25. Isa. 10. 5. &c. c. 14. 16, 17. Jer. 26. 6, 7, 8. c. 25. 9. &c. yet they were but blasphemous Beasts, and wretches still, not Saints.

3. That if such Beasts have but Great Power and Success in their Wars, Enterprises against their Enemies, or the Saints them-

themselves; though their mouths utter blasphemy against the God of Heaven, his Name, Tabernacle, Saints; though their Actions, Designs be never so impious, atheistical, treasonable, detestable: their power but short and fading, yet whiles they are in Power and Prosperity, the whole world will wonder, run after, worship, flatter, Sain, Deify and Adore them for Gods, (as (7) Alexander the Great, and Julius Cæsars friends, flatterers did them; and some wicked Popes Favourites them too;) yea, set up, and worship their very Images, receive their marks in their hands, foreheads, and extol them to the skies, saying, *who is like unto the Beast? who is able to make war with him?* (7) Plutarch, Arianus, Quintus Curtius, Suetonius, Grimston, in the life of Alexander, and Julius Cæsar, Balaus, his Lives of the Popes. Morryes Mystery of Iniquity.

4. That such adulations Speeches, Vaunts, Practises as these, and such Arguments of Sainship, of the Goodness of mens causes, undertakings, actions, only from their present Power, Victories and Successes, are the arguments, practises, of worldly, earthly, beastly men; of worshippers of the Beast and Dragon of (2) Assyrians, Turks, Popes, not of the *least* real Saints of God, whose names are written in the *Lambes Book of life*; who will neither flatter, worship, nor adore such Beasts, nor receive their marks in their hands or foreheads, though they be prohibited to buy or sell, or staine for refusing it by their Instruments, Rev. 13. 8, 15, 17. Dan. 3. 11, 10 19.

5. That such Beasts in power, will never want under Beasts and Instruments, nor yet (a) false Prophets to persuade or enforce Obedience and Subjection to them, even by dis-franchisements; death, lying wonders, flattering Prophecies, Speeches, Sermons, and Hypocritical Mock-falls. (a) Rev. 13. 1. 10 18. c. 16. 13. 14. c. 19. 10. 1 King. 22. 6. 10 24.

6. That the Power and Dominion of such Beasts, is given and derived to them immediately by the Dragon (the (b) (6) Ephes. 2. 2. Prince of the power of the Air) only by Gods permission, not his approbation; Rev. 13. 2. Hos. 8. 4. 2 Thess. 2. 4, & 9. And that in wrath, for the punishment of the Peoples sin, and destruction, greater condemnation of the beasts themselves at last. Hos. 13. 11. Rev. 13. and 14, and 19. Plal. 94. 23. Ier. 51. 24, &c. c. 5. 2 throughout. Hab. 2. 6, 7, 8.

7. That

(c) *Paterculus*,
Plutarch, *Su-*
tonius, *Anton-*
in *Cononica*,
Grimston, and
others, in his
Life, *Jacobus*
Justinus *Anna-*
lius *pars* *po-*
sterior, p. 366,
367.

* Do not some
now by words
and deeds, re-
pute it and
the People so?

* See *Mat.*
West. an. 655.
1 Kings 16. 2
Kings 15. 2.
Chron. 13. 17,
18, 19, 20. and
our King *Rich-*
ard the
third.

7. That this their Dominion, Raign and Triumph, is commonly very short, like this *Beasts* here for forty two Months, *Rev.* 13. 5. which is but three years and an half (c) *Julius Caesar* that great first Conqueror of this Island and a great part of the World; usurping the supreme Power over the Roman Senate, and changing the Government, lived only FIVE MONTHS A SOVERAIGN LORD IN PEACE (though some compute his whole dominion 3 years and 7 months) and then was suddenly stabbed to death in the Senate-House, by those friends in whom he reposed greatest trust; for his Tyrannical Usurpations, and alteration of their former Government; for endeavouring (as was suspected) to make himself KING OF THE ROMANS, (though he rejected the Title of King when offered unto him by *M. Antonius*, saying, That *Jove* was only King of the Romans, that so he might seem to be compelled to receive it by the people; (being their King before in deed, though not in name:)) and for saying, That the * *Commonwealth* was but a Voice or Name, without a Body or Substance. *Nullum violentum est diuturnum*, See *Isa.* 10, and 14. *Iob.* 20. 4, 5, &c. *Psal.* 37 and 73. *Psal.* 92. 6, 7. *Isa.* 17, 13, 14. 2 *Chron.* 23. and Sir *Walter Rawley* Preface to his *History of the World*, worthy serious perusal by the Grandees of these times.

8. That in conclusion such Conquering, Usurping Beasts, notwithstanding all their Power, Friends, Followers, Confederates, Armies, Policies, are usually conquered, taken, slain on Earth, and cast into the Lake burning with fire and brimstone for ever, for their Tyrannies, Blasphemies, Bloodsheds, Oppressions of the People and Gods Saints, and their Confederates, Armies, false Prophets, followers, adorers * destroyed with them even on earth; and then made to drink the Cup of Gods wrath, fury and torments for ever in hell, *Isa.* 30, and 14. *Jer.* 50. and 51. *Rev.* 19. 19, 20, 21. c. 6. 15, 16, 17.

9. That though they continue Conquerors and victorious for many years; and conquer not only, one, two or three, but many Kings and Kingdoms; cut off not only the thumbs of their Kings, that they might not lift up a Sword against them, and their great toes, that they may not run

run from them, but their *Heads* too; Yet God at last (in ^{* See the Turkish History in his life.} his retaliating Justice) doth usually pay them Home in their own coyne, as is evident, not onely by ^{* See Huntingdon, Mat. west. An. 655. Gros- ton, Speed, Holinshed, Fabian Brompton, in the life of Penda.} ** Bajazet the Turkish Emperor*, our ** King Penda*, (who slew no lesse than 5. Christian Kings in several battles, took sundry other Kings prisoners, and at last was slain himself, with all his old victorious Captains and Souldiers, by King Oswi, and a small despicable Army of raw Souldiers, not half so many as they, Ann. 655. who thereupon seized on his Kingdom) and others in prophane Stories; but by that memorable History of (d) *Adonibezack*; who after his Conquest of no less than ^{(d) Judg. 1. 2. to 8.} seventy Kings, (who ever in this latter age, conquered one quarter so many?) and tyrannizing over their persons, was, by a small party of Judah and Simson, fought with on his own dung-hill, his victorious old Army totally routed, ten thousand of them slain, himself forced to fly, pursued, and taken prisoner by these contemptible Enemies, who cut off his thumbs and his great toes. Whereupon *Adonibezack* (though an idolatrous Canaanite) used these memorable words, worthy all Conquerours and Tyrants memorial; recorded by God himself to all Posterity, *Judges 1. 7. Threescore and ten Kings having their thumbs, and their great toes cut off, have gathered their meat under my table (like so many Dogs rather than Kings) AS I HAVE DONE, SO GOD HATH REWARDED ME; and they brought him (Prisoner) to Iernsalem, and there he died.* See the like retaliation threatned, inflicted. *Hab. 2. 6. 7. 8. Isa. 33. 1. Dan. 7. 23. to 27. Obad. 15. Ezach. 35. 5. 6. 15. Rev. 16. 5. 6. Jer. 51, and 52. Nab. 3. 1. &c. Rev. 13. 10. Joel 3. 6, 7, 8. Dent. 32. 43. Isa. 10. & 14. 2 Chron. 22. 10. compared with e. 23. 12. to the end.* (e) ^{(e) See Joel 3. 6, 7, 8. Mar. 26. 52. Sir Walter Rawleighs Pretace to his History of the world, & Dr. Beards Theatre of Gods Judgements; on the 6 and 8 Commandments.} 10. That the Elect Saints of God, do by faith in the Word of God, and upon consideration of the usual Providence and Justice of God towards such Beasts and bloody Conquerors; most assuredly see their downfall, and with patience expect it, *Rev. 13. 9, 10. If any man have an ear let him hear. (e) HE THAT LEADETH INTO CAPTIVITY, SHALL GO INTO CAPTIVITY; HE*

THAT KILLETH WITH THE SWORD, MUST BE KILLED WITH THE SWORD: Here is THE PATIENCE AND THE FAITH OF THE SAINTS. O that we had this Patience and Faith within us now!

11. That upon this Faith and Assurance, the true Elect Saints of God, *neither will, nor do, nor dare so admire after, follow, worship or adore such B^asts, or their Image, nor receive their marks in their hands, or foreheads, though all the world else ready do it without opposition; enduring patiently rather to be warred upon, killed, secluded from buying or selling any thing, then unchristianly to adore, subje^ct, or enslave themselves unto them, Rev. 13. 2, 15, 17. Esther 3. 1, 10. 7. 2 Kings 3. 13, 14. John 10. 4, 5. Dan. 3. 4. to 30. 1 King. 19. 18. 2 Chron. 11. 13. to 18.*

Which serious reasonable considerations, as they should daunt the hearts and allay the high Presumptuous Spirits of the most Successfull Conquerors, Powerfull Usurpers, over, and violent Invaders of the Liberties, Lives, Estates, Rights, Properties of their Lawfull Superiours or Christian Brethren, and all Subverters of the Laws, Priviledges, Parliaments, Government of their Native Country, especially against their Oaths and Trusts: So the Meditation on them, together with the contemplation of the infinite Power, Wisdom, Faithfulness, Justice, Holiness, Presence, and gracious Promises of God, have at all times and seasons hitherto, invincibly animated, steeled, fortified my Soul in the midst of all my sufferings, both under the domineering Prelates, Parliament-assaulting Army-Officers, the late Tyrannical cashiered Republicans, and all other self-created oppressing Powers, which (if not already dead and buried in the dust, with all their thoughts and high aspiring Projects,) yet shall certainly (f) *die ere long like men, and become as dung; yea, they have enabled me by Faith and Patience to be (g) more than a conquering conqueror over them: and to sing aloud with magnanimous David (a man after Gods own heart) long before their down-fall, Psal. 27. 1, 2, 3. The Lord is my Light and my Salvation, whom shall I fear? The Lord is the strength of my life, of whom shall*

(f) Isa. 51. 6.

12. c. 26. 13, 14.

Psal. 82. 7.

Psal. 146. 354.

(g) Rom. 8. 36.

37. Psal. 3. 6.

I be afraid? When the wicked even mine enemies and my foes came upon me to eat up my flesh, they stumbled and fell. Though an Host should encamp against me (as they did at Westminster, at my House, and in sundry Garrisons, where I was a Prisoner under Souldiers) my heart shall not fear: though War should rise against me, in this I will be confident. I will not be afraid of ten thousands of people that have set themselves against me round about. And to cry out in Pauls words of defiance against all Enemies and Perils in the cause of my God and Country (uttered in his own and all true Elected Saints names) Rom. 8. 35, &c. Who shall separate us from the love of Christ? (or our Native Country, as well actively as passively considered;) Shall tribulation? or distress? or persecution? or famine? or peril? or SWORD? (of an whole Army, or other Powers) Nay, in all these things we are more than Conquerors through him that loved us. For I am persuaded, that neither death, nor life, nor Angels, nor PRINCIPALITIES, NOR POWERS, nor things present, nor things to come, nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is in Christ Jesus our Lord. And to say with him in all threatened Dangers for my sincere conscientious publick Services, Act. 20. 22. 24. And now I go bound to Jerusalem, nor knowing the things that shall there befall me, save, that the Holy Ghost witnesseth in every City, saying: That Bonds and Afflictions wait for me. But none of these things move me, neither count I my life dear unto me, so as I may finish my course with joy, and the Ministry which I have received of the Lord Jesus, &c. And verily he thinks the serious contemplation thereof, and of all the premises, with that of 2 Sam. 10. 12. Isa. 54. 12. 13. Jer. 4. 8. Ezech. 2. 2, to 6. Matth. 10. 26. 28 coupled with Psal. 124. 2. If the foundations be destroyed, what can the righteous do? Prov. 24. 22, 23. My Son, fear thou the Lord and the King, AND MEDDLE NOT WITH THOSE WHO ARE GIVEN TO CHANGE; For their calamity shall rise suddenly (which we have seen verified in many late Changers, Mock Parliaments, and self-created new Powers,) and who knoweth

the ruins of them built? Should now at last banish all base carnal fears out of all timorous hearts, rouse up the languishing, fearfull, dead, stupid Spirits of our degenerated *English Nation*, and engage them all unanimously, undauntedly to claim, vindicate, regain, re-establish those ancient undoubted *Hereditary Fundamental Rights, Liberties, Privileges, Franchises, Laws, Governments*, (purchased with their *Ancestors* & their own dearest *Blood, sweat, Treasures*) which belong to the whole Kingdom; to all true *English Parliaments, Freemen* in general, and to every of them in particular; whereof they have of late years been forcibly dispossessed, or hypocritically cheated by pretended *Patrons, Preservers*, and *Propagators* of them; the substance whereof I have here set before their eyes in ten brief *Propositions*, and by *Records, Statutes, Presidents, Histories, Contests, Resolutions* in all ages, undauntedly, (as their *Common Advocate*) asserted, fortified to my power, for their Encouragement and president in this publick work. And if they will now but courageously second me herein, with their joyne, bold, rightfull *Claims, Votes, Declarations, and Resolute Demands* of all and every of their enjoyments, and future inviolable *Establishments*; with strenuous *Oppositions* of all illegal perpetual *Imposts, Excises, Contributions, Payments* (the chief nerves and cords to keep them still in bondage by *Mercenary Forces*, supported only by them to keep them still in slavery) according to their *Oaths, Power, Protestations, Duties*, manifold late *Declarations, Remonstrances, Solemn League, Covenant*, and the encouraging memorable *Professions* of their *Ancestors* in former ages here, recorded; I dare assure them (by Gods blessing) a desired *good Success*, whereof their *Ancestors* never failed: no mortal Powers nor *Armies* whatsoever, having either *Impudency* or *Ability* enough to deny, detain them from them, if they will but (b) generally, unanimously, courageously, importunately claim and demand them as their *Birth-rights*. But if they will still basely disown, betray, and cowardly desert both them and their *Assertors*, and leave them to a single combat with their combined Jesuitical enemies (whom

* See Part. I.

p. 14, 15, 16.

(b) See 1 Sam.

8. 4, to 12. ch.

12. 2. 2 Sam.

18. 2, 3, 4. Jer.

38. 5.

(whom none take care to discover, suppress or banish out of our Realms, where they now swarm more than ever) and *Armed Invaders*; the Fate of our old *English Britons*, when they improvidently neglected to unite their Councils, Forces against, and fought only singly with the invading united *Armies of the Romans*, is like to be *Englands* condition now; (i) *Dum pugnant singuli, vincuntur universi*: the single *Champions* of our Liberties, Laws, Rights, will be easily over-powered, destroyed, for the present; and all others (by their unworthy *Treachery* and *Baseness*, in not adhering to, but abandoning their present Patrons) discouraged, disabled to propugne, regain them for the future: and the whole *Kingdom* vanquished, yea enslaved for eternity in all humane probability, to those who have broken your (k) former yokes of wood, but instead thereof have made for, and put upon you yokes of Iron: and by the Jesuites Machiavilian Plots and Policies, will reduce you by degrees under a meer Papal yoke at last, having deeply leavened many in power and arms, with their forementioned most desperate Jesuitical Positions, Practices and Politicks, which will soon usher in the whole body of Popery, and all damnable Heresies whatsoever, by degrees, to the ruine of our Religion, as well as Laws and Liberties.

(i) Tacitus in
vita Agricole.

(k) Jer. 28.
13, 14.

Wherefore, seeing it neither is, nor can be reputed *Treason, Felony, Sedition, Faction*, nor any Crime at all, but a commendable bounden Duty, to which our *Protestations, Oaths, Leagues, Covenants, Reason, Law, Conscience*, our own private and the publick Interest, Safety of the Nation engage us, for all and every *Freeborn Englishman*, joyntly and severally to claim, maintain, preserve, by all just, honourable, publick and private wayes they may, their unquestionable *Hereditary Birth-rights, Laws, Liberties, Parliamentary Priviledges*, &c. here asserted and presented to them, after so much *Blood, Treasure, Labour* spent to rescue them out of the hands of old and late oppressing *Tyrants*; nor any Offence at all, but a praise-worthy service now in me, or any other, publickly to encourage them to this duty, (and the strenuous defence of our endangered undetermined

mined Protestant Religion, subverted with our Laws & Liberties, and living or dying together with them) at this present season, as I have done heretofore upon all occasions; And seeing none can justly censure them or me, for discharging our Oathes, Consciences, Covenants, Propositions, Duties in this kinde, but such as shall thereby declare themselves Publick Enemies and Traytors to the whole Nation, Laws, Government, Parliaments of England, as the Resolutions, Presidents, * herein cited, yea their own best friends, (and our Reformed Religion too) have already adjudged them: And seeing * Sir Thomas Fairfax and the General Council of his Army, held at Putney Sept. 9. 1647. in their Declaration, concerning THE FVNDAMENTAL AVTHORITY & GOVERNMENT OF THE KINGDON; printed by their appointment, in these words: Whereas a Member of the General Council of this ARMY, hath publicly declared and expressed himself, THAT THERE IS NO VISIBLE AUTHORITY IN THE KINGDOM, BUT THE POWER & FORCE OF THE SWORD, (as others of them say since, and now both by words and deeds, without controll.) We therefore the said GENERAL COUNCEL (to witte, the Hon. FARRE OUR HEARTS & MINDS ARE FROM ANY DESIGN OF SETTING UP THE POWER OF THE SWORD ABOVE OR AGAINST THE FUNDAMENTAL AUTHORITY & GOVERNMENT OF THE KINGDOM. & OUR READINESSE TO MAINTAIN AND UPHOLD THE SAID AVTHORITY;) have by a Free Vote (in the said Council, no man contradicting) judged the said Member, TO BE EXPELLED THE SAID COUNCEL. which we hereby thought fit to publish, as A CLEAR MANIFESTATION OF OUR DISLIKE & DISAVOWING SUCH PRINCIPLES OR PRAGTISES, (which notwithstanding they have since avowed, pursued in the highest degree; and I desire them now to repent of, reform, and really make good) have engaged to maintain and propugne with their Swords, what I here endeavour to defend, support, with my Pen. And seeing they intuled their Printed Papers,

* Part. 1. ch. 1.

† See the Homilies against Disobedience, & wilfull Rebellion.

* A Declaration of the Engagements, Remonstrances, & Resolutions of Sir Tho. Fairfax, & the General Council of the Armie, London, 1647. p. 150.

A Declaration of the Engagements, Remonstrances, Representations, Proposals, Desires, and Resolutions, from his Excellency Sir Tho: Fairfax, and THE GENERAL COUNCEL OF THE ARMY, for setting OF HIS MAJESTY IN HIS JUST RIGHTS; the PARLIAMENT in their JUST PRIVILEGES, and the SVBJECTS in their LIBERTIES & FREEDOMS: Also Representations of THE GRIEVANCES OF THE KINGDOM, & REMEDIES PROPOVND, for REMOVING THE PRESENT PRESSVRES WHEREBY THE SVBJECTS ARE BURDENED (and EXCISES, TAXES amongst the rest) And the Resolutions of the Army, For the establishment of a firm & lasting peace IN CHVRCH & KINGDOM, printed by their own, and the Lords House special Order, London 1647: the self-same things I here contend, plead for, (which I wish they would now really make good by their future consultations and actions to avoid the just censures of meer Hypocrites and Impostors; as the whole World will else repute them.) I shall therefore exhort not only the whole Army, Army-Officers, and their General Council; but likewise the whole English Nation, and all real Lovers of their own or their Countries Liberties; Peace, Love, Ease, Safety, Religion, and future establishment in this common Cause, in the words of the Philistine one to another in a time of need, when they were greatly afraid, 1 Sam. 4. 9. Be strong and (1) quit your selves like men, O ye Philistines, that ye be no servants to the Hebrews; as they (1) 1 Cor. 16. have been to you: quit your selves like men, fight, &c. That (2) as the Apostle writes in the like case, Phil. 1. 27, 28. (2) Whether I come and see you, or be absent from you, I may hear of your affairs, that ye stand fast in one spirit, with one mind, striving together for the faith of the Gospel; (and the ancient Fundamental Laws, Liberties, Rights, Priviledges, Parliaments, Government and Religion of our Realm) which the Jesuites and their Instruments maketh their Master-piece totally to undermine and subvert.) And in nothing terrified by your Adversaries, which is to them an evident token of Perdition, but to you of Salvation; and that of God: If the Presidents

(m) Recorded
in Livy, Tully,
Plutarch, Vale-
rius Maximus,
and others.
*Recta honesta
digna Imperio,
digna populo
Romano, omnia
pericula pro R.
publica subire,
mori pro patria.*
Cicero de Fini-
bus bonorum,
&c. p. 369.
and Tule.

Quaest. p. 445.

fidents of your renowned Ancesters here recorded; the Pa-
terns of (m) many gallant Pagan Romans, Gracians, who have
spent their Lives, for their Countries, Laws, Liberties; Or if
my example and these my *Lucubrations* shall provoke you
hereunto; I shall think my labour well bestowed; and you
and your Posterities worthy to live like *English-Freemen*.
But if you wil now neither manfully demand, speak, nor con-
tend for them any more, out of a slavish fear of a prevailing
Army raised only for their just defence, or any other hu-
mane Powers whatsoever; nor once adventure with united
Spirits now at last, so much as confidently, boldly to ask
these your unquestionable Birthrights at the Thrones of any
mortal Grandees, your Fellow-Subjects, when God Almighty
himself commands you, to come with boldnesse to his celesti-
al Throne of Grace, that you may obtain (not meer right as
here, but) Mercy it self, and Grace to help in time of need,
Heb. 4. 16. *Qui timide rogat, docet negare*; you can neither
hope for, nor ever obtain them for the future, but deserve
eternally to forfeit them, and you and yours to be made
slaves for ever: However I (though these Collections prove
successeless) shall carry this as a comfortable Cordial with me
to my grave, That I have faithfully discharged my Conscience
and bounden Duty to my degenerate Native Country, by en-
deavouring all I could both to make and preserve it free indeed;
to detect and prevent all Jesuitical Plots and Practises, to
undermine, imbroyl, divide, subvert, ruine it; and used
my utmost sincerest constant endeavours in my place and
calling herein. But if through the Malice, Tyranny or In-
justice of any prevailing Enemies of publick Freedom, or
Jesuitical Agents, I shall chance to suffer for it in any kind,
(as I have formerly done for most of my publick services of
this nature) be it close-imprisonments, Fines, Pillories, Stig-
matizings or Death it self; I shall onely say beforehand, as
Gregory the Great did heretofore: Indict. 7. Epist. 78. *In
causa qua Deus placere cupio, homines non formido*; and as
noble Heroick Esther did, in a like publick case for her en-
dangered captivated Nation, (n) *If I perish, I perish*; and
this my unrighteous suffering, shall be a new *Glorious*

(n) Esth. 4.
16.

permissive, ordering, over-ruling Providence, doth no wayes
 justify nor extenuate the guilt of any Traytors, Rebels, Mur-
 derers, Conspirators sinnes, Treasons, Rebellions, Murders,
 Regicides, Conspiracies, Rapines, Oppressions, or Wicked
 Devices, which he permits them to plot, act, accomplish;
 so it doth in no wise exempt them in Gods or Mens esteem
 from being the true Original Plotters, Contrivers, and imme-
 diate instrumental Actors of them; nor from the divine or
 humane Punishments which they in justice deserit; as is most
 evident by Gen. 50. 15. to 21. Psal. 37. 7. 9. Prov. 24. 30,
 31, 32. Job 20. 3, 6, &c. 1 Kings 12. 12. to 25. c. 15. 23.
 10. 30. c. 16. 1. to 30. specially ver. 7, 8. 2 Kings 11. 1. to
 17. c. 14. 5, 6. c. 15. 8. to 33. c. 17. 21, 23. 1 Sam. 8.
 2 Sam. 1. 2. to 17. c. 4. throughout. Hos. 1. 4. c. 8. 4, 5.
 Isay 29. 15, 16 c. 30. 5, 6, 7, &c. Acts 1. 16. to 21. c. 2.
 23. 1 Thess. 2. 14, 15, 16. Mar. 27. 3, 4, 5. compared to-
 gether. And if we should look upon all our late *Changer*,
Revolutions in our Kingdoms, Government, Church, Parlia-
ments, Religion, Laws, (wrought by the Jesuites and their
 Instruments) as the meer wonderfull immediate Productions
 and Glorious Operations of God himself in the World, and upon
 the instruments employed in them, only as Gods own precious
 chosen Saints and Servants, accomplishing nothing but his own
 determinate Will, Providence, Counsel, (though to satisfie their
 own ambition, covetousnesse, malice, rapine, blood-thir-
 stinesse, lusts) as many now proclaim them, and not as
 Conspirators, Treacherous, Perfidious, Pernicious Malefact-
 ors in the highest degree, as well as *Jack Cade, Wat Tyler,*
Sirafford, Canterbury, or the murderers of our Saviour, *Jo-*
ash, Ishbo(hoth, with other Kings heretofore, and of *Henry*
the 3. and 4. of France, of late; there should then be no
 Traytors, Conspirators, Murderers, Sinners, Treasons, Con-
 spiracies, Murders, Sinnes, in the world (being all perpetra-
 ted by Gods permissive Providence) no Law, nor Hell to pu-
 nish them: and it would be no less than a direct resisting,
 fighting against God and his Providence, for any Christians,
 Kingdoms, Kings, or Loyal Subjects, to pray against, resist,
 oppose the Treasons, Murders, Conspiracies, Usurpations,

Rebellions, Innovations, Plots, of any *Jesuits* or *Romish* Emislaries, or their under-Agents, against our Kings, Kingdoms, Governors, Parliaments, Laws, Liberties, Government and Religion; which would be professed *Blasphemy*, or *Frenzy* at least, for any man to affirm. ¶

2. That this *Jesuite* *Parsons* in his *Book* of the Reformation of all the States of England, as he prescribed Reformation to the Prince, Court, Counsellors, Noblemen, Bishops, Prelates, Pastors, Universities, Lawyers, Laws, in which he will have STRANGE METAMORPHOSES; so likewise, THE COVRT OF PARLIAMENT HE WILL HAVE BROUGHT TO BETTER FORM, as *W. W.* (a secular Priest) in *A Dialogue between a Secular Priest and a Lay-Gentleman*, printed at *Rhemes*, An. 1601. p. 95. *Watson* in his *Quodlibets*, p. 92. to 96. 320. to 334. *William Clark* (a secular Priest in his *Answer to Father Parsons Libel*, p. 75. &c.) in direct terms attest. And may we not then justly suspect, that the late New-models and Reformations of our Kingdoms, Parliaments, Government, Laws, &c. (originally promoted by our * *Army Counsels*, and Officers) proceeded primarily from the *Jesuites* Projections & Plots against them, if the Statutes of 23 *Eliz.* c. 1. 27 *Eliz.* c. 2. 35 *Eliz.* c. 2, 3. *Jac.* c. 1, 2, 4, 5, 7. 7 *Jac.* c. 6. and the manifold Declarations of both Houses of Parliament, *Exact Collection*, p. 491, 492, 497, 498, 616, 631, 666, 698, 813, to 828. may be judges? ¶

3. That the *Jesuites* drift directly is (immediately by means of * CONQUEST intended for England) to bring in and all Christendom into an uproar, FOR COMMON SOVLDIERS TO EXAMINE THEIR SOVERAIGNS, WHAT TITLE THEY HOLD BY; that thereupon themselves by craft, money and multitudes gathered together through their Policy, may bring England, (and then) Spain, and all the rest under their subjection and Monarchy: And that principally by this *Jesuitical* Position; That every *Presapie* or *Tartarian* multitude, getting once the stile and title of a *PLUBLICK STATE*, or *HELVETIAN COMMONWEALTH*, may alter, change and innovate the course of inheritance

* See their printed Declarations of June 14. 23. Aug. 1. 2. 1647. Their Agreement of the People, Jan. 1648. & Government of the Commonwealth of England, 1654. moulded by them.

* Do not many now boast, talk, write of such a Conquest by the Army over England?

heritages and succession TO CROWNS AND KINGDOMS, and also to every private Persons heritage holden in Fee-simple: as (b) William Watson assures us in these very (b) Quodlibets, terms. And whether the Jesuites have not instructed our Army-Officers and Common Soldiers upon this pretext, and for this very end, to examine their Sovereigns, yea, our Parliaments Titles, Priviledges, and Powers too of late, and dispose of, reject, suppress them as their pleasure; let themselves, the whole Nation, with all in present power, in the fear of God, most seriously consider, without passion or affection, before it be over-late.

4. That the Oathes of Supremacy and Allegiance (which all Members of Parliament ought by Law to take, before they can sit, or vote as Members) specially made and prescribed by our most wise, zealous (c) Protestant Parliaments, to prevent the Treasonable plots and designs of Popes, Jesuites, and Papists, against our Protestant Princes, Realms, Parliaments, Religion, though confirmed by many Statutes, and containing in them only the Declaration of such a Duty, as every true and well-affected Subject, not only by the bond of Allegiance, but also by the COMMANDMENT OF GOD, ought to bear to the King, his Heirs and Successors; and none but a person infected with Popish Superstition formerly oppugned, (as the Prologue of the Statute of 7 Jacobi. c. 6. positively resolves) have by late State innovators, not only been discontinued, suspended, but declaimed against and repealed (as much as in them lay) as (d) UNLAWFUL OATHS; the old Laws against Jesuits and Popish Seminars, discontinued, abrogated, or coldly executed. (e) The New Oath for abjuration of Popery, with all Bills against Jesuites and Papists, presented to the late King by both Houses the last Parliament, and by him consented to in the Isle of Wight, wholly laid aside, and quite buried in oblivion. The Solemn Protestation, League and Covenant, prescribed by the last Parliaments taken by all the well-affected in all the 3 Kingdoms (so (f) prevent the dangerous plots of Papists, Jesuites, and our common enemies to destroy our Religion, Churches, Realms, Government, Parliaments, Laws, Liberties) quite

(c) 1 Eliz. c. 1.

5 Eliz. c. 1. 1 Jac.

c. 4. 3 Jac. c. 4.

5. 7 Jac. c. 6. 16

Caroli. The

Act for Triennial Parliaments.

See J. E. his

Right & Jurisdiction of the

Prelate and

the Prince

cap. 15. Becanus,

Bellarmino,

Lessius, Eudamon

Johannus,

& others against this

Oath.

(d) See the

printed Edicts

repealing the,

& enforcing

the Engage-

ment, An. 1649

(e) See the

Propositions

for the Treas-

ury.

(f) See the

Preface to the

Covenant.

(g) See the E-
dicts for the
Engagement,
An. 1649.

antiquated, devised, distast'd, and a (g) New Engagement
forcibly imposed under highest penalties and disabilities upon
all men, diametrically contrary to these Oaths, Protestations
and Covenants, which have been (by a new kind of Papal
power) publicly dispenced with, and the people absolved from
them, to become sworn Homages to other now self-created
 Lords and Masters. And are not all these, with the late
Proclaimed Universal Toleration and Protection of all Religi-
ons, to considerate zealous Protestants, strong Arguments of
the Jesuites Predominancy in our late counsels, transactions,
and changes of publike Government?

5. That the Nation of THE PRESENT GOVERN-

MENT, (in my weak apprehension) derived its original

from the Jesuites late-invented (h) PRESENT CHURCH,

the only Supreme Power and Judge of Controversies, which

all men must submit unto, by a meer absolute blind Obedience,

and implicit faith, without dispute by their determination:

as they must do, by a like Jesuitical blind obedience (newly

taught and obtruded on us) to that present Republican Go-

vernment, and new Optimacy, and Popularity, lately set up

instead of our Monarchy. Which two forms of Govern-

ment, and want of a King and Monarchy, as they are the

punishment of a peoples Sins, and the Transgressions of a Land

by Gods own resolution, not a Mercy. Hosea 10. 3. c. 1. 4.

Ier. 18. 7. Prov. 28. 2. Ezr. 19. 14. Lam. 4. 20. c. 5, 7, 8, 12.

so they were the inventions of Factions Grecians at first, which

* put all their Cities into Combustions, fury, frenzy, and civil

Wars against each other, to their utter overthrow in conclusi-

on: witness these verses of (i) Heniochus, a Greek Comedian:

Tam gemina ad illas accesserunt Mulieres (TITAS

QUÆ CUNCTA CONTURBARUNT: OPTIMA-

Est nomen alteri: alteri POPULARITAS: (RUNT:

Quarum incitatu PRIDEM EXTERNATÆ FU-

So the Jesuits, (k) Parsons, (l) Campanella, (m) Car. Richelieu,

designed to introduce & set them up amongst us in Engl. Scott.

and Ireland, of purpose to divide & destroy us by civil wars and

combustions, and bring us under their Jesuitical power at last,

(b) Bellarmine
de Pontif. Ro-
mano. Six
Hunc. Linde
his Lia de via.

* Thucydides
Hist. 1. 1. 3.
Plutarch, Ly-
sander, Aristot.
Polit. 1. 4. & 5.

(i) See Grotius
de jure Belli &
Pacis, 1. 3. c. 15.
p. 537.

(k) Parsons
Quodlibets, p.
322, 323, 332,
332, 333.

(l) De Monar.
Hist. c. 25.
(m) Conte de
Gallazaro,
Gualdus, vixit ap.
Hist. part. 3. p.
175, 176.

as the marginal Authorities declare to all the world. And if this be undeniable to all having any sense of Religion, Peace or publick Safety left within their breasts, is it not more than high time for us to awake out of our former lethargy, & sordid, selfish stupidity, to prevent our ruine, by these and other forementioned Jesuitical practises? Or can any Englishman, or real Parl. be justly offended with me for this impartial discovery of them? Or for my endeavours to put all the dislocated Members and broken bones of our old inverted fundamental body Politick, into *their* ^{due places; joints and pos-} *stores again,* without which there is no more ^{(n) possibility of} *reducing it to its, pr stine health, ease, settlement, & tranquillity,* or of preserving it from perpetual pain, inquietation, consumption and approaching death, than of a natural body whose principal members continue dis-joynted, and bones broken all in pieces, as all prudent *State-Physicians* must acknowledge.

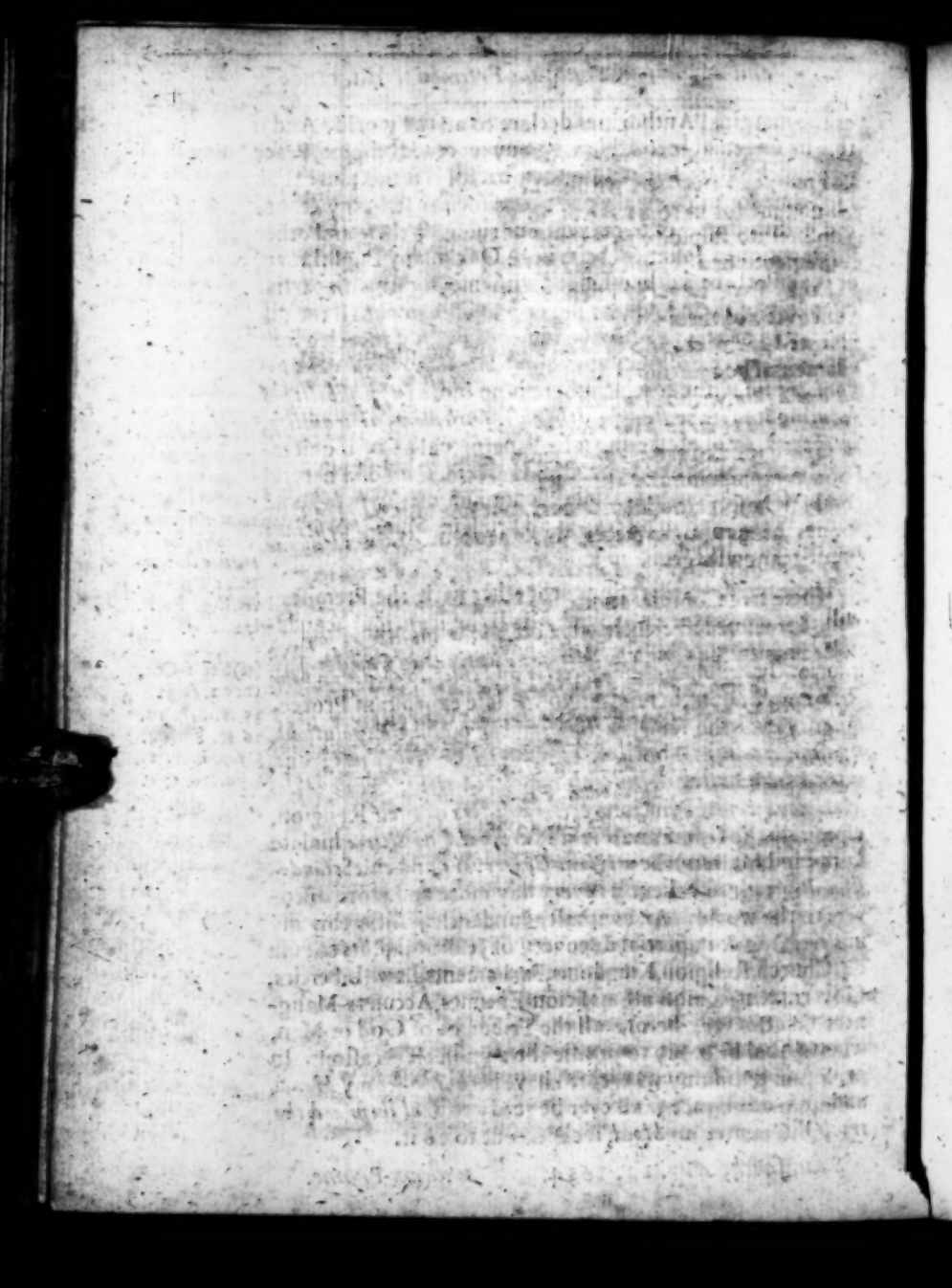
Optandū quidem est, si modo Respublica salva et incolumis futura sit, ut Civitatis partes omnes quidem sibi consent, in suog, statu permanent. At ut praesenti statu gaudeant, Reges Regie dignitatis splendore commoventur; Optimales Senatoria, hac enim illis pro virtutis suae premio est: populus Ephorie.
Aristor. Polir.
1. 2. c. 7.

(n) See I Cor. 12. 12. to 31. 25 H. 8. c. 22. 26 H. 8. c. 3. 1 Jac. c. 1, 2. 3 Jac. c. 1, 2.

These five Considerations, together with the Premises; will I presume sufficiently wipe off all the malicious scandalous Imputations, which *Militiers* and other *Papists*, have injuriously cast upon the *Principles and chief Professors of our Reformed Religion*, in relation to the late exorbitant Proceedings against the *King, Parliament, the publike Revolutions, Confusions, Ataxies* both in our *Church & Kingdoms*; and retort them on the *Jesuitical, Papal, seditious, Treasonable, Antimonarchical Principles and Professors of their Religion*, especially the *Jesuits and French Cardinals (Militiers his late Lords and Masters)* the *original Contrivers*, and chief *clandestine Promoters* of them, as every day more and more discovers to the world. And withall abundantly justifie this my undertaking & impartial discovery of Jesuitical plots to ruin our *Church, Religion, Kingdoms, Parliaments, Laws, Liberties, Government*, against all malicious *Enemies, Accusers, Maligners* whatsoever, before all the *Tribunals of God or Men*, where I shal be ready to justifie them upon all occasions. In perpetual testimony whereof, I have hereunto set my *Hand*, and by *Gods Grace* shall ever be ready to *seal them and the truth of God with my blood*, if called out to do it.

Swainswick, Aug. 12. 1654.

William Prynn.





A Seasonable Legal and Histo-
 rical *VINDICATION* and *Chronologicall Col-*
lection of the good Old Fundamental *Liberties,*
Franchises, Rights, Laws of all *English Freemen;*
 (their best *Inheritance, Birth-right, Security,* a-
 gainst all *Arbitrary Tyranny, Egyptian Slavery and*
Burdens) of late years most *dangerously under-*
mined, oppugned, and almost totally subverted,
 under the *specious feigned Disguise* of their *De-*
fence, Enlargement, and future Establishment up-
on a sure Basis.

In an universall received Principle, and
 experimentall truth, beyond all contradi-
 ction, That no naturall structure, no artificial
 building, no Civil or Ecclesiastical Corporati-
 on, Realm, Republike, Government, or Society
 of men; in Art or Science whatsoever, can
 possibly be erected, supported, established, preserved or continued
 in their being or well-being, without *FOUNDATIONS;*
 Whereon, as they were so first erected, so they must neces-
 sarily still depend, or else they will presently fall to utter
 ruine.

B

Hence

Hence it is (to wave all Humane Authorities in so clear a verity) that in Gods own sacred unerring a word of Truth, we finde frequent mention of the naturall *b* Foundations of the vast natural Fabrick of the Earth, Heavens and world it self; of the Artificial, Material *c* Foundations of the Material Temple, Walls, City of Gods own most famous Jerusalem; and of private Houses: of the spirituall *d* Foundations of the Spiritual Temple, City, Jerusalem, and whole Church of God; even Jesus Christ himself: of Doctrinal *e* Foundations, and first Principles of Religion; Christianity, Salvation: yea, of the Politicall Foundations of Kingdomes, Republicks, Churches, Governments, States: Which being once shaken, undermined, subverted, razed, or destroyed, bring unavoidable ruine and desolation upon them, (Psal. 11.3. Psal. 82.5. Jer. 50.13. & 51.25,26. Micah 1.6,7,9.) Even as we daily see Castles, Walls, Houses to fall instantly to the ground, and become an heap of Confusion, when their *f* Foundations are blown up, decayed, or demolished.

Upon which consideration, those publike Laws, which establish, fence, fortifie, support the Fundamental Constitutions, Rights, Liberties, Priviledges of any Nation, Kingdome, Republike, (essentiall to their being and subsistence; as a free or happy people, against the Invasions, underminings, encroachments of any Tyrants, Usurpers, Oppressors, or publike enemies, are usually stiled Fundamental Laws; and have ever been reputed so sacred, inviolable, immutable; in all ages, upon any pretences of necessity, or publike safety, that most Nations, and our own English Ancestors, above others, have freely chosen to hazard, yea, lose their estates, lives, in their just defence, against such exorbitant tyrannical Kings, and other Powers, who by force or policy have endeavoured to violate, alter, or subvert them; rather than out of a Cowardice, Softnesse, Carelesse, or want of cordial love to the Publike, to suffer the least infringing, repeal, or alteration of them to the inthralling of themselves or their posterities to the arbitrary will of such domineering Tyrants and Usurping Powers.

Now

Now because, after all our Old and New (many years) bloody, costly, dangerous Contests and Wars, for the maintenance of our good Old Fundamental Liberties, Laws, Rights, Priviledges, against all secret or open underminers of them, I clearly behold with grief of heart, that there is a strange monstrous generation of new Tyrannical State-Heretics, sprung up amongst us; who are grown so desperately impudent, as not only to write, but publickly to assert in print, in g Books printed by AUTHORITY, (even in g Lilburn tried Capitals, in every Title page) That the Freeman and People of England have no such unalterable Fundamental Laws and Liberties left them by their forefathers (as our Ancestours heretofore contested for; both in the Field and Parliament-House, with William the Conqueror, Henry the first, King John, Henry the third, Edward 1. 2. 3. Richard 2. with other Kings and Princes; and our late Parliaments and Armies too, with King James and King Charles.) That neither Magna Charta, nor the Petition of Right, nor the Laws for trying Malefactors by Juries of their Peers, are Fundamental or unalterable; but that the State Physicians (or rather Mountebanks) of our time (who are not tied up to them, but left free unto themselves) may lay them quite aside, either in part or whole, as they see cause. Yea, have now attained to such a super-transcendent Authority, that they may (as they assert) lay aside all Parliaments & Parliamentary wayes, & appoint something else, as more seasonable and proper to us, and as Providence makes way for it, if they see it more conducing to the safety and good of the Commonwealth (that is, to their own privat Interests, Honors, Profits, Securities, Designes, Oppressions, Rapines, gilded over with this specious pretext.) And then peremptorily conclude, That to plead for these and other fundamental laws and liberties, is as unalterable, (though the only Bulwarks & Bidges of our Freedome) is nothing else, but to enslave the Nation: for by such a Principle, people do not only lose their Liberty, but are brought under such a kinde of Tyranny, out of which (AS BEING WORSE THAN THE ÆGYPTIAN BONDAGE) there is no hope of deliverance.

An absurd Tyrannical Paradox, transcending any I ever yet met with in any Author; stripping us naked of all our long enjoyed Laws, Liberties, Franchises, great Characters at once; tending onely to reduce, and perpetually inthral us under such an absolute **ÆGYPTIAN BONDAGE** and Tyranny, without any hope of future deliverance from it, which some now endeavour * to entaile on us and our posterities for ever, by an Iron law, and Yoke of Steel, in stead of restoring to us that glorious Freedom, which we have so long expected from them in vain.

* See the Government of the Common-wealth of England, &c. *Artic. 3, 13, 21, 22, 24, 27, 28, 29, 30, 31, 32, 38, 39, &c.*

And because I finde the generality of the Nobility, Gentry, Clergy, Commonalty of our Nation, after all their late years expensive bloody wars, and Parliamentary Disputes, for the defence and preservation of these our ancient Hereditary Fundamentall Charters, Laws, Liberties, Priviledges, so strangely degenerated both from themselves, and their Heroick prudent Ancestors, as that they are more readily inclined, upon every occasion, out of a base, unchristian, unmanly, un-english fear, or sordid covardise and stupidity, wittingly to desert, betray, surrender them all up into the hands of any invading Usurpers, without the least Publike Claim, Dissertation, Defence, Dispute; then diligently or courageously to contend or suffer for them, of late they did: So as that which Paul once taxed in the slavish besotted *Corinthians*, 2 Epist. 11. 20. may be most truly averred of our degenerated, infatuated English Nation: *Ye suffer if a man bring you into bondage, if a man devour you, if a man take of you, if a man exalt himself above your Laws, Liberties, Franchises, Parliaments, Kings, Nobles, Properties, Lives, Consciences, and all that is called God, or worshipped* (if a man smite you on the face; notwithstanding all their manifold late * Protestations, Vows, Covenants, Remonstrances, Declarations and Publike Engagements to the contrary. And withall, after diligent enquiry, discovering scarce one man of Eminency or Power in the Nation, nor so much as one of my degenerated scripping Profession

* 2 Thess. 2. 4.

* See *Exact Collect. and a General collection of all Ordinances, &c.*

Profession of the Law, (even when the ^{*}whole body of our laws, and all its Professors, are violently assaulted, and devoted unto suddain ruine, by many lawlesse spirits) who hath so much courage, magnanimity, honesty, zeal, or cordial love to his Native Country, remaining in his breast, as manfully to appear in publike, for the strenuous necessary defence of these our Hereditary, fundamentall laws, liberties, rights, franchises, (though their own, and every other English Freeman's best inheritance and security) for fear of being persecuted, imprisoned, close imprisoned, exiled, condemned, destroyed, as a Traitor, Rebel, Seditious person, enemy to the Publike, or disturber of the Kingdome's peace, by those who are truly such: I there-upon conceived, I could not undertake or performe a more necessary, seasonable, beneficiall service for my Country and ingrate unworthy Nation (who are now ashamed, afraid, for the most part, to own, visit, or be seen in the company of those Gallant men, much less to assist, defend, and stick close unto them in their dangers, according to the sixth Article of their late Solemn League and Covenant, who have suffered, acted, and stood up most for their Common Liberties, Rights, Freedoms, Religion, against all invading Tyrants, to their great discouragement and betraying:) nor pitch upon any Subject more proper for me, either as a common Lawyer, or as a constant Advocate and Sufferer for the publike Cause, and Liberties of the Nation, as well under our late extravagant Free State, as former Regal and Episcopall arbitrary Tyranny, than in this juncture of our publike affairs, to present our whole distracted unsettled Kingdome, with A Legal and Historical Vindication, and Chronological Collection, in all ages, of these Ancient, Hereditary liberties, Franchises, Rights, and all those National, Parliamtentall, legal and Martiall Concesses, Laws, Charters, Records, Monuments of former and late times, for their Confirmation and inviolable observation, which our Ancestors and our selves have alwaies hitherto reputed Fundamental, unalterable and inviolable, upon any pretext, and have most eagerly contended

* See Culpepers and billy's Merlins and Almanacks, John Cannes Voice. Lib. tried and cast, with many Petitions and Pamphlets against the Law and Lawyers. The Order of Aug. 19. 1633. That there should be a Committee selected to consider of a New body of the Law for the government of this Commonwealth.

for, with the Prodigal expence of many millions of treasure, and whole Oceans of gallant Christian English blood.

And if upon the serious perusal of them, the universality of our degenerated Nation, after their many solemn *Protestations, Vows, Leagues, Covenants, Remonstrances*, inviolably to defend and maintain them, shall still so undervalue them now at last, (as most actually have done) as not to esteem them worth the owning, maintaining, vindicating, or perpetuating any longer; & thereby draw upon their heads, the reall guilt of all those bloody Wars, Murders, Tumults, Violences, Rapines, Oppressions, Sins, Mischiefs, illegal Taxes, Excises, Exorbitancies, which their many late years pretended necessary defence and preservation have brought upon our three whole Nations; let them henceforth, like so many dastardly conquered bondslaves, * bored through the ears, publicly disavow, disclaim, renounce, abjure them, for themselves and their posterities for ever, as meer worlesse toys, or pernicious inventions, fit onely to kindle perpetual wars and discords between King and People, head and members, superiours and inferiours; or, as poor slender Cobwebs, (as now they prove) able to hold none within compass, but the very weakest Flies, broken thorow with ease and impunity, by every greater Fly, or armed Waspe, creeping up into any Power or Supream Authority, by right or wrong; and swept down to the very ground, by every new Broom in the hand of upstart Innovators.

But if upon saddest deliberation, they shall really estimate them to be such incomparable, rich, precious Jewels, and ancient Inheritances, as are every way worth the infinite Treasures, Wars, Blood, Cares, Consultations, Troubles, heretofore and of late years expended, both to gain, retain, confirm, and perpetuate them, to them and their Posterities for ever, as their principal earthly security, and beatitude; I hope they will all then unanimously conclude with the Poet,

Non minor est virtus quam querere, PARTA TVERI:
And both by their *Voices* and *Actions*, return the self-same
peremp-

peremptory magnanimous answer to any *Cesar, Conqueror, Potentate, power, or Combination of men, whatsoever*, (who shall endeavour by force, fraud, or flattery to compel or persuade them, to sell, resign, betray, or give up these their *Ancestral Priviledges, Inheritances, Birth-rights to them*) as *Naboth* once did to King *Abab*, 1 Kings 21.3. *The Lord forbid it us, that we should give (sell or betray) the INHERITANCE OF OUR FATHERS* (and our *Posterities* likewise) unto thee, or you; though they should suffer for this Answer and Refusall, as much as *Naboth* did from bloody *Abab* and *Jezebel*.

But whatever *low price or estimate this spurious, stupid, sordid, slavish age* may set upon these richest Pearls; yet for my own particular, upon serious consideration of these *Chronological Collections*, and the Solemn Oaths, Protestations, Vows, *League and Covenant*, obliging me to defend them to the uttermost; I value the whole *Nations* publick, and my own (with my cordial friends) private interest in them, at so high a rate, that I would rather cheerfully part with ten thousand lives, and all the treasures of the Nation, Indies, were I owner of them, then wittingly, negligently, or unworthily sell, betray, or resign them up to any mortals or powers whatsoever, upon any pretences or Conditions, after all my former Publications, Contests, Sufferings, Losses, &c. for their just defence.

And to the end all others might now take special notice of the inestimable value our Ancestors in all ages have set upon them, and what successive wars, conflicts, they have cheerfully undertaken for their preservation; I have at vacant hours compiled this ensuing *Vindication and Collection of the old Fundamental liberties, franchises, laws of all English freemen*, which I shall bequeath to my most beloved Native Country, in general, and every reall Heroick Patron of them in particular, as the best Legacy I can leave behind me, both for their present and future Enfranchisement, Immunity, security, from all Arbitrary Tyranny, Slavery and yokes of Bondage; under which they have a long time languished, and lamented in the bitterness of their spirits.

The

The Method I resolve herein to pursue, is this:

1. I shall produce some punctuall Authorities at present, to evidence, That the Kingdome and Freemen of England, have some ancient Hereditary just Rights, Liberties, Priviledges, Franchises, Laws and Customs, properly called FUNDAMENTAL; and likewise a Fundamental Government, as wayes to be altered, undermined, subverted directly or indirectly, to the publique prejudice, under pain of highest Treason in those, who shall attempt it, especially by fraud, force, or armed power.

2. I shall, in brief Propositions, present you with the chiefest and most considerable of them, which our Ancestors in former ages, and our latest real Parliaments have resolved to be, and eagerly contended for, as FUNDAMENTAL, essentiall to their being and well-being, as a Free People, Kingdome, Republique, unwilling to be enslaved under any Token of Tyranny, any arbitrary Impositions or Powers whatsoever. Then give you a briefe touch of their severall late unparalell'd violations, both by the Edicts and Actions of usurping Powers.

3. I shall in a Chronological way, render you a large Historical Catalogue of National, Parlamental, civil and military, Contests, Votes, Declarations, Remonstrances, Oathes, Vows, Protestations, Covenants, Engagements, Excommunications, Confirmations, Evidences, Statutes, Charters, Writs, Records, Judgments and Authorities, in all ages, undeniably evidencing, declaring, vindicating, establishing, perpetuating these Fundamental Hereditary Rights, Liberties, Priviledges, Franchises, Customs, Laws, and abundantly manifesting the extraordinary care, industry, zeal, courage, wisdom, vigilancy of our Ancestors, to defend, preserve, and perpetuate them to posterity, without the least violation or diminution.

4. I shall vindicate the excellency, indifferency, and legality of trying all Malefactors whatsoever, by Justice of their Peers, upon legal Process and Indictments; and manifest the illegality, injustice, partiality, dangerous consequences of admitting or introducing any other form of Trials, by New, Arbitrary Martiall Commissions, or Courts of High Justice

Justice, (or rather *injustice*) Inconsistent with, and destructive to the *Fundamental Rights, Liberties, Privileges, Laws, Franchises* of the *English Nation*, and of most dangerous Prejudice to Posterity; being set up by the greatest pretenders to public Liberty, Law, and the cheifest inveighers against Arbitrary Regal Tyranny and Power, which never publickly established such arbitrary Illegal Tryals and new Butcheries of Christian English Freemen, by any law, and may fall to imitate them in future Ages, by their example. Each of these I intend to prosecute in distinct Chapters in their order.

** Summum jus, est summa injuria, Cic. de Officiis p. 611.*

CHAP. 1.

1. For the first of these: That the Kingdome and Freemen of England, have some ancient Hereditary Rights, Liberties, Privileges, Franchises, Laws and Customs, properly called *FUNDAMENTAL*, and likewise a *FUNDAMENTAL GOVERNMENT*, no wayes to be altered, undermined, subverted, directly or indirectly, under pain of High Treason in those who shall attempt it; especially by fraud, force, or armed power.

I Shall confirm the first part of it, by these ensuing punctual Authorities of moment, against those ** traitorous* late published Pamphlets, which professedly deny it, and endeavour, a total abrogation of all former *Laws*, to set up a *New modell* and *Body of the law*, to rule us for the future, according to their pleasures.

** Lilbourn tried and cast p. 39, 40, 141, to 148 and elsewhere. John Caines 2*

The first is, the expresse words of the great Charters of the Liberties of England, granted by King John, Anno 1215. in the 16 year of his Reign; Re-granted and confirmed by King Henry the third, in the 9 year of his Reign, and sundry times afterwards: and by King Edward the first, in the 25 and 28 years of his reign: Wherein these three Kings successively, by their several grand Charters, under their great Seals, did grant, give, and confirm, to all the Nobility,

Voice from the Temple. John Rogers Mens Tekel, Perex. p. 6. Lilly and Culpeper in their Prognostications An. 1653, & 1654. See the Armes Pro-posals.

lity, Clergy, and Freemen of the Realm of England, for themselves and their Heirs for ever: the several customs, liberties therein contained: to have and to hold them, to them and their Heirs, from them and their Heirs for ever. Concluding their Charters thus: *All these Customs and Liberties aforesaid, which we have granted to be holden within this our Realm, as much as appertaineth to Us and our Heirs, we shall observe. And all men of this our Realm, as well Spiritual as Temporal (as much as in them is) shall observe the same against all persons in likewise: And we have granted unto them, that neither we nor our Heirs, shall procure or do any thing whereby the Liberties in these Charters contained, shall be infringed or broken: We raising and approving these Gifts, and Grants aforesaid, confirm and corroborate all the same, for Us and our Heirs perpetually: and by these presents (as the later Charters run) do renew the same: willing and granting, 'For us and our Heirs, that these Charters and all and singular their Articles, for ever shall be steadfastly, firmly, and inviolably observed.*

Sir Edward Cook (that reverend learned Judge and Professor of our Laws) in his Preface to his *Second Institutes*, and p. 2. and 77. thereof, wherein he Comments on this great Charter, (printed by two Orders of the House of Commons in Parliament, dated 12. May 1641. and 30. June 1642. Resolves in direct terms, That the great Charter, was for the most part declaratory of the principle grounds of the Fundamental Laws of England: That these words therein, [*For us and our Heirs for ever*] were added, to avoid all scruples: That this great Parliamentary Charter might live and take effect in all succession of Ages for ever. A clear resolution, that the principal Liberties, Customs, Laws, contained in these great Charters, and ratified by them, are both **FUNDAMENTAL, PERPETUAL, & UNALTERABLE**; being since confirmed in all points by near forty several special Acts of Parliament in succeeding Parliaments: and likewise by the Solemn Oathes of our Kings, Nobles, Judges, great Officers, and of the People too, (all several times sworn to defend and maintain the same) and by sun-

sundry solemn Excommunications against the Infringers or contemners of them in any kinde; as I shall prove more fully in the third Chapter.

The second is, the punctuall resolution of the whole Parliament of a Jacob, even in a Printed Act of Parliament, chap. 2. and of King James himself, in his Speech therein, as is evident by this Prologue to that Act; *Whereas his most excellent Majesty hath been pleased, out of great wisdom and judgment, not only to represent unto us, by his own prudent and Princely Speech, on the first day of this Parliament, how much he desired (in regard of his inward and gracious affection to both the famous and ancient Realms of England and Scotland, now united in Allegiance and Loyall Subjection IN HIS ROYALL PERSON, TO HIS MAJESTY AND HIS POSTERITY FOR EVER) that by a speedy, mature and sound deliberation: such a future Union might follow, as should make perfect that mutual Love, and uniformity of manners and Customs, which Almighty God in his Providence, for the strength and safety of both Realms, hath so farre already begun, in apparent sight of all the world; but also hath vouchsafed to expresse many wayes, how farr it is, and EVER SHALL BE FROM his Royall and sincere care and affection to the subjects of England, TO ALTER OR INNOVATE THE FUNDAMENTALL AND ANCIENT LAWS, PRIVILEDGES, and GOOD CUSTOMES OF THIS KINGDOME; whereby not onely HIS ROYAL AUTHORITY, but THE PEOPLES SECURITY OF LANDS, LIVINGS, and PRIVILEDGES (both in general and particular) ARE PRESERVED AND MAINTAINED; and by the ABOLISHING or ALTERATION of the which, it is impossible, but that present confusion will fall upon the whole State and Frame of this KINGDOME, &c.* In which memorable clause, these four things are observable.

1. That the Kingdome and People of ENGLAND have Fundamentall, ancient good Laws, Priviledges, and Customs. 2. That these are no wayes to be ALTERED, or INNOVATED; and that it alwaies hath been,

* See 1 Jac. c. 1
3. Jac. c. 1. 4.
7 Jac. c. 6.

lity, Clergy, and Freemen of the Realm of England, for themselves and their Heirs for ever, the several customs, liberties therein contained: to have and to hold them, to them and their Heirs, from thence and their Heirs for ever. Concluding their Charters thus: *All these Customs and Liberties aforesaid, which we have granted to be holden within this our Realm, as much as appertaineth to Us and our Heirs, we shall observe. And all men of this our Realm, as well Spiritual as Temporal (as much as in them is) shall observe the same against all persons in likewise: And we have granted unto them, that neither we nor our Heirs, shall procure or do any thing whereby the Liberties in these Charters contained, shall be infringed or broken: We raising and approving these Gifts, and Grants aforesaid, confirm and corroborate all the same, for Us and our Heirs perpetually: and by these presents (as the later Charters can) do renew the same: willing and granting, For us and our Heirs, that these Charters and all and singular their Articles, for ever shall be stedfastly, firmly, and inviolably observed.*

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sun-

sundry solemn Excommunications against the infringers or contemners of them in any kinde; as I shall prove more fully in the third Chapter.

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1. That the Kingdome and People of ENGLAND have Fundamentall, ancient good Laws, Priviledges, and Customs.
2. That there are no wayes to be ALTERED, or INNOVATED; and that it alwaies hath been,

is, and ever shall be, far from the thoughts and intenes of all good Kings, Governours and Parliament, who bear a sincere care and affection to the Subjects of England, to alter or innovate them. 3. That by these ancient good Laws, Priviledges and customs, not only the Kings Regall Authority, but the peoples Security of lands, livings, and priviledges, (both in general and particular) are preserved and maintained. 4. That by the abolishing or altering of them, it is impossible, but that present confusion will fall upon the wbol state and frame of this Kingdom: Which I with all Innovators and New Modellers of our Lawes and Government would now at last lay seriously to heart, and the whole Kingdome and English Nation sadly consider, who have found it an experimental truth of late years, and no imaginary feigned speculation.

3. The third is, The Remonstrance of the whole House of Commons in Parllament, delivered in Writing to King James, in the Parliament of 7. Jacobi, Anno 1610. which begins thus:

To the Kings most Excellent Majesty.

Most Gracious Sovereign,

See the 1 and 6
Proposition in
cap. 2.

Whereas we your Majesties most humble Subjects, the Commons assembled in Parllament, having received first by Message, and since by speech from your Majesty, a Command of restraint, from debating in Parllament your Majesties Right of imposing upon your Subjects Goods exported out of, or imported into this Realm, yet allowing us to examine the grievance of these Impositions, in regard of quantity, time, and other circumstances of disproportion thereto incident: We your humble Subjects nothing doubting, but that your Majesty had no intent by that command, to infringe the ancient and fundamental Rights of the Liberty of PARLIAMENT, in point of exact discussing of all matters concerning them and their Possessions, Goods, and Rights whatsoever: Which yet we cannot but conceive to be done in effect by this Command; Do with all humble Duty make this Remonstrance to your Majesty.

First,

First, we hold it an Ancient, general and undoubted Right of Parliament, to debate freely all matters, which do properly concern the Subject and his Right or Estate: which freedom of debate being once fore-closed, the Essence of the Liberty of Parliament is withall dissolved, &c.

Here the whole House of Commons, in a special Remonstrance to King James, (printed and published by Order of a Committee of the House of Commons for licensing of Books, dated 20 May 17. Caroli 1641.) Declare, resolve, vindicate and maintain, one principal, ancient, fundamentall, general, undoubted right of the Liberty of Parliament, against the Kings intrenchment on it: Of which should they be but once fore-closed, the Essence of the Liberty of Parliament is withall dissolved.

And peradventure it may not be unworthy the most serious disquisition of the next ensuing nominal or real Parliament, to examine, whether some clauses and restrictions in the 9. 12. 14. 16. 17. 21. 22. 24. 25. 27. 30. 32. 33. 36. 37. 38. 39. 40. Articles (or Strings) of the New Instrument intituled, The Government of the Common-wealth of England, Scotland, and Ireland, and the Dominions thereunto belonging; as it was publicly declared at Westminster the 16. day of December 1653, &c. do not as much, nay far more intrench upon the ancient Fundamental, General undoubted Rights and Liberty of Parliament, and parliamentary free debates, to the dissolution of the Essential liberty of all future Parliaments, as this Command of King James did, or as the Bishops late Canons, imposed on the Clergy in and by the Convocation, Anno 1640. ever did; and this clause in their, &c. Oath then made, (now *imitated by others, who condemned it) I. A. B. do swear, that I will never give my consent to alter the Government of this Church, by Arch-bishops, Bishops, Deans and Arch-Deacons, &c. as it stands now established; and as by right it ought to stand. Which clause and Oath imposed one-ly on the Clergy-men.

Resolved by the whole House of Commons and Peers too, in Parliament, without any dissenting voice, December 16. 1640. to be a most dangerous & illegal Oath, contrary of them.

* See the Government of the Commonwealth of England, &c. Article 12. the writs and printed returns for new Elections; and enforced new Test and Engagement imposed on the three Kingdoms and new members, sending most of them.

to the Rights and Privileges of Parliament, and to the Fundamental Laws and Statutes of the Realm, &c. and of dangerous consequence: the contriving whereof was objected to the late Archbishop of Canterbury, in his original Articles of High Treason, for which amongst other things he lost his head.

The fourth is the notable Petition of Grievances of the whole House of Commons in Parliament, presented to King James in the seventh year of his Reign, after their Vote against his Right, to levy Impositions on goods imported, or exported, without assent and grant of Parliament, in these ensuing words.

The Policy of this your Majesties Kingdome, appropriates unto the Kings of this Realm, with assent of Parliament, as well the Sovereign power of making Laws, as that of taxing or imposing upon the Subjects Goods or Merchandises, wherein they have justly such a property, as may not without their consent be altered or changed: this is the cause, that the people of this Kingdome, as they have * ever shewed themselves faithfull and loving to their Kings, and ready to aid them in all just occasions, with voluntary contributions: so have they been * ever careful to preserve their own Liberties and Rights, when any thing hath been done to prejudice or impeach the same. And therefore when their Princes, either occasioned by war, or by their own bounty, or by any other necessity, have without consent of Parliament set on Impositions, either within the Land, or upon commodities exported or imported by the merchants, they have in open Parliament complained of it, in that it was done without their consents, and thereupon * never failed to obtain a speedy and full redresse, without any claim made by the Kings, of any Power or Prerogative in that point. And though the Law of property be original, and carefully preserved by the Common Laws of this Realm, WHICH ARE AS ANCIENT AS THE KINGDOME ITSELF, yet those famous Kings, for the better contentment and assurance of their loving Subjects, agreed, THAT THIS OLD FUNDAMENTAL RIGHT (observe the words) should be further declared and established by Acts of Parliament, wherein it is provided, That no such Charge shall ever be

laid

See Proposition
1. in ch. 1.

Nota.

* O how are
they now dege-
nerated!

* And should
they not be so
now then?

* And should
we now at last
fall herein?

* How dare
then any self
created powers
who are nei-
ther Kings nor
Parliaments
now arrogate
to themselves,
or exercise such
a super-Regal
arbitrary
power and
Prerogative,
against all our
Laws and
their own in-
strument and
oaths.

laid upon the People, without their common Consents, as may appear, by sundry Records of former times.

We therefore your Majesties most humble Commons assembled in Parliament *following the example of this worthy care of our Ancestors, and out of our Duty to those for whom we serve, finding that your Majesty, without advice of your Lords and Commons, hath lately (in times of Peace) Set both greater Impositions, and farre more in number, than any your Noble Ancestors did ever in time of Warre, do with all humility present this most just and necessary Petition unto your Majesty, **THAT ALL IMPOSITIONS SET WITHOUT ASSENT IN PARLIAMENT, MAY BE QUITE ABOLISHED AND TAKEN AWAY.** And that your Majesty likewise, in imitation of your Royal Progenitors, will be pleased, that a Law in your time, and during this Session of Parliament, may be also made, to declare, That all Imposition of any kinde, set, or

Nota.

And ob that we would follow it now again, both in and out of Parliament?

to be set upon your people, their Goods or Merchandises, save onely by common Consent in Parliament, are and shall be Void; wherein your Majesty shall not onely Give your Subjects great Satisfaction in point of their Right; but also bring exceeding joy and comfort to them, who now suffer partly through the abating of the price of Native Commodities, and partly through the raising of all Forraign, to the overbrow of Merchants, and shipping, the causing of general dearth, and decay of all wealth among your people; who will be thereby no lesse discouraged, than disabled to supply your Majesty when occasion shall require. In which memorable Petition, the whole House of Commons resolve in direct terms: 1. That the Subjects of England have old original Fundamental Rights (and more particularly) in the Property of their Goods, exempted from all Impositions what soever, in times of peace or war, without their common consent in Parliament; declared and established both by the ancient and common law of England and sundry Acts of Parliament, and records of former times. 2. They declare, the constant vigilant care, zeal of our ancestors and former Parliaments in all ages, inviolably to maintain, defend, preserve the same, against all encroachments, to-

Nota.

gether

with their own care, duty and vigilancy in this kind in that very Parliament. 3. They relate the readinesse of our Kings to ratifie these their *Fundamental Rights* by new *Acts of Parliament*, when they have been violated in any kinde. 4. They declare the benefit accruing both to Prince and People, by the inviolable preservation and establishment of this *old Fundamental right*, and the mischiefs accruing to both by the infringement thereof; by arbitrary illegall impositions, without full consent in Parliament. 5. They earnestly (in point of Conscience, prudence, and duty to those for whom they served) Petition his Majesty, for a new *Law and Declaration*, against all new Impositions and Taxes on Inland Goods, or Merchandises Imported or exported, without the peoples free consent in Parliament; as null, void, utterly to be abolished and taken away: Whether it will not be absolutely necessary for the whole *English Nation*, and the next ensuing National, or reall Parliament, to prosecute, enact, establish such a Declaration and Law against all such former and future arbitrary, illegal, oppressive Taxes, Impositions, Excises, that have been imposed and continued for many years together on the whole kingdom, by * new extravagant, self-created, usurping ARMY-OFFICERS, and other Powers, without free and full consent of the people in Lawfull English Parliaments, against all former Laws, Declarations and Resolutions in Parliaments, to their great oppression, enslaving, undoing, in far greater proportions, multiplicity, and variety, than ever in former Ages, without the least intermission; and likewise against their late declared designe, to perpetuate them on our exhausted Nation, without alteration or diminution, (beyond and against all presidents of former Ages) both in times of Peace and War, for the future, by the 27, 28, 29, 30, 39. Articles of the Instrument intituled, *The Government of the Common-wealth of England, &c.* I remit to their most serious considerations to determine, If ever they resolve to be *English Freemen* again, or to imitate the *wisdom*, prudence, zeal, courage,

* See the white-hall Ordinances for the six months Contribution, Excise, till 1656, Tunnage & Poundage till 1658. beyond all Presidents in any age, and the very words and letter of the 30 Article of their government.

contage and laudable examples of their worthy Ancestors, from which they cannot now degenerate without the greatest Infamy, and enslaving of themselves with their Posterities for ever, to the arbitrary wills of present or future Usurpers on their Fundamental Rights and Liberties, in an higher degree then ever in any precedent Ages, under the greatest Conquerours or Kings, after all their late, costly, bloody Wars, for their Defence against the beheaded King.

5 The fifth is, A learned and necessary Argument made in the Commons House of Parliament, Anno-7. Jacobi, to prove, That each Subject hath a Property in his Goods; shewing also, the extent of the Kings Prerogative in Impositions upon the Goods of Merchants, exported or imported, &c. by a late learned Judge of this Kingdome, printed at London by Richard Bishop, 1641. and Ordered to be Published in Print, at a Committee appointed by the Honorable House of Commons, for examination and Licensing of Books, 20. Maie 1641. In which Parliamentary Argument, p. 8. 11. 16. I finde these direct Passages: That the New Impositions contained in the Book of Rates, imposed on Merchandizes, imported and exported by the Kings Prerogative, and Letters Patents, without consent in Parliament, is against the natural Frame and Constitution of the Policy of this Kingdome, which is, *JUS PUBLICUM REGNI*, AND SO SUBVERTETH THE FUNDAMENTAL

Notas.
LAW OF THE REALM, and introduceth a new Form of State and Government: Can any man give me a reason, why the King can only in Parliament make Laws? No man ever read any Law, whereby it was so ordained; and yet no man ever read, that * any King practised the contrary; therefore IT IS THE ORIGINAL RIGHT OF THE KINGDOME, AND THE VERY NATURAL CONSTITUTION OF OUR STATE AND POLICY, being one of the highest Rights of Sovereign Power. If the King alone out of their New Parliament may impose, * HE ALTERETH THE LAW

* Yet those who have pulled down our Kings as Tyrants now presume to do it: witness their New White-hall

Laws and Ordinances, amounting to near 900. pages in folio in a few months space. * And do not those do so, who now lay Monthly Taxes, Excises, Customs and New Impositions on us daily out of Parliament, and that for many months and years yet to come, against the Letter of their own Instrument and Oath too?

OF ENGLAND IN ONE OF THESE TWO MAIN FUNDAMENTAL POINTS; he must either take the Subjects Goods from them, without assent of the Parly, which is against the law, or else he must give his own Letters Patents the force of a law, to alter the property of the Subjects goods, which is also against the Law.

* And as they
not so now?

In this and sundry other Arguments Touching the Right of Impositions in the Commons House of Parliament by the Members of it, arguing against them, it was frequently averred, and at last Voted and Resolved by the House, 7. Jacobi. That such Impositions without consent in Parliament, were *AGAINST THE ORIGINAL FUNDAMENTAL LAWS AND PROPERTT OF THE SUBJECT, and Original Right, Frame and Constitution of the Kingdome; as the Notes and Journals of that Parliament evidence: An expresse parliamentary Resolution in point, for what I here assert.

6. The sixth is, A Conference desired by the Lords, and had by a Committee of both Houses, concerning the Rights and Priviledges of the Subj^t. 3. Aprilis 4. Caroli 1628. entered in the Parliament Journal of 4. Caroli, and since printed at London 1642. In the Introduction to which Conference, Sir Dudley Digges by the Commons House Order, used these expressions: My good Lords, whilst we the Commons, out of our good affections, were seeking for money, we found, I cannot say a Crock of the Law, but many A FUNDAMENTAL POINT THEREOF NEGLECTED AND BROKEN, which hath occasioned our desire of this Conference: wherein I am first commanded to shew unto your Lordships in general: That the Laws of England are grounded on Reason more ancient than Books, consisting much in unwritten Customs; yet so full of Justice and true Equity, that your most honorable Predecessors and Ancestors propounded them with, a *NOLUMUS MUTARI; and so ancient, that from the Saxons dayes, notwithstanding the injuries and ruines of time, they have continued in most parts the same, &c. Be pleased then to know, THAT IT IS AN UNDOUBTED AND FUNDAMENTALL POINT OF THIS SO ANCIENT COMMON LAW OF

* 30. H. 3. c. 9.
See Cooks 2. 18.
Sir. p. 97, 98.

OF ENGLAND, THAT THE SUBJECT HATH A *Proposition 1,4*
 TRUE PROPERTY IN HIS GOODS AND POSSESSIONS, which doth preserve as sacred, that MEUM and TUUM, that is the Nurse of Industry, and the Mother of Courage, and without which, there can be no Justice, of which MEUM and TUUM is the proper object: But the UNDOUBTED BIRTH-RIGHT OF FREE SUBJECTS, hath lately not a little been invaded and prejudiced by pressures, the more grievous, because they have been pursued by IMPRISONMENT, contrary to the Franchises of this Land, &c. *Proposition 1;*
 Which the Common House proved by many Statutes and Records in all ages, in that Conference, to the full satisfaction of the Lords House, since published in print.

7. The Seventh is, The Vote the * whole House of * *See Canter-*
 Commons, 16 December 1640. Nullo contradicente, entered in their Journall, and printed in Diurnall Occurrences, page 13. That the Canons made in the Convocation *p. 12.*
 (Anno 1640.) ARE AGAINST THE FUNDAMENTAL LAWS OF THE REALM, the Property and Liberty of the Subject, the Right of Parliament, and containe diverse things tending to Faction and Sediti-
 on. Seconded in their Remonstrances of 15. December 1641.

8. The eight Authority is, * The Votes of both Houses of Parliament, concerning the security of the Kingdome of ENGLAND and Dominion of Wales, 15. Martii 1641. Ordered by the Lords and Commons in Parliament to be forthwith printed and published (as they were then by themselves, and afterwards with other Votes and Orders) Resolved upon the Question, nemine contradicente; That in case of extream danger, and his Majesties refusall, the Ordinance agreed on by both Houses for the MILITIA (to secure the Houses, Members and Priviledges of Parliament and Kingdome against ARMED-VIOLENCE, since brought upon them by the MILITIA of the Army) doth oblige

the people, and ought to be obeyed, by the **FUNDAMENTAL LAWS OF THIS KINGDOM**. A very vain and delusory Vote; if there be no such Law, as some now affirm.

* *Exam. Coll.*
p 850, 884,
887, 888.

9. The ninth punctuall Authority is, * a Second Declaration of the Lords and Commons assembled in Parliament, concerning the Commission of Array; Printed by their speciall Order of 12. January 1642. Wherein are these observable passages, *The main drift of all the answer is to maintain, That the King by the Common Law may grant such a Commission of Array, as this is, upon this ground, because its for the Defence of the Kingdom: And, that the power, which he hath to grant is by the Common law, is not taken away by the Petition of Right; or any former Statute; but the King notwithstanding any of them, may charge the Subject for Defence of the Kingdom; so as the charge imposed come not to himself, nor to his particular advantage.*

See Chap. 2.
Proposit. 12. 2.

*These grounds thus laid, extend not to the Commission of Array alone, but to all other charges that his Majesty shall impose upon his Subjects, upon pretence of Defence of the Kingdom; for there is the same reason of Law for any other charge that is pretended for Defence, as for this. If his Majesty by the Common Law may charge his Subjects to furnish Arms, and other things in the Commission enjoyed, because they are for Defence of the Kingdom; by the same reason of Law, he may command his People to build Castles, Forts and Bulwarks, and after to maintain them with Garrisons, Arms, and Victuals, at their own charges: And by the same reason he may compel his subjects to furnish Ships, and furnish them with Men, Ammunition and Victuals, and to furnish Soldiers pay, * Coat and Conduct money; provide Victuals for Soldiers, and all other things NECESSARY FOR AN ARMY; these things being as necessary for Defence, as any thing that can be done in execution of this Commission. And for that imposition of the Petition of Right and other Statutes therein noted (if it should hold) doth it not overthrow, as well the Petition it self, as all other Laws that have been made for the Subjects benefit against Taxes and other charges, either in this, or any other Parliaments?*

* Do not the Army Officers now enforce them to all this without a Parliament, to support their usurped new Powers and Possessions, and establish themselves in a most absolute Sovereignty over our three Kingdoms?

These

These Positions thus laid down and maintained, Do shake Nota.
the Fundamental Laws of the Kingdome (the ancient Birth right of every Subject) both for the Property of his Goods, and Liberty of his Person: Nay, they strike at the root of Parliaments: What need his Majesty call Parliaments, to provide for Defence of the Realm, when himself may *These expostulations reach to them at white-ball now, who presume to impose Taxes, Customs, Excises and make binding laws and Instruments for our whole Kingdoms, Nations, Parliaments,* compel his Subjects to defend it without Parliaments? If these grounds should hold; what need the Subjects grant subsidies in Parliament for Defence of the Kingdome in time of real danger, if the King for Defence at any times, when he shall only conceive or pretend danger; may impose Charges upon his Subjects without their Consent in Parliament?

Upon that which hath been said in this and our former Declaration, we doubt not but all indifferent men will be satisfied, that this Commission of Array, is full of danger, and inconvenience to the Subjects of England, **AND AGAINST THE FUNDAMENTALL LAWS OF THE LAND, both for PROPERTY OF GOODS, AND LIBERTY OF PERSON, &c.** As it is against *which no King there ever did in like manner, nor their Councils in any age.* **THE FUNDAMENTAL LAWS OF THE REALM,** so no statute makes it good, &c. And the Lords and Commons do upon the whole matter here conclude, That they are very much aggrieved, that after so many Declarations and solemn Protestations made by his Majesty to rule by the known Laws of this Land, his Majesty by advice of his ill Counsellors should be persuaded to set such a Commission on foot, which is so clearly contrary **TO THE FUNDAMENTALL LAWS OF THIS LAND,** the Rights of Property, and Liberty of the Subject, contrary to former resolutions of Parliament, and to the Petition of Right.

I am certain, the generality of the Nation are now as much and more aggrieved, that some, who were Parties to this Declaration and others, who have made as many or more Declarations & Protestations as his Majesty ever did, to rule by the known Laws of the Land; should since this, far exceed his Majesty in the like, nay greater, more exorbitancies in the Militia, Excises, Taxes, Impositions, Imprison-

ments, arbitrary extravagant proceedings, capital executions in new erected Courts of Injustice, and whole volumes of new binding Ordinances, as they term them, and their ill-sounding Instrument, obliging all our three Nations, both for the present & all future ages, in ^{*}their intention, as diametrically contrary as the Kings Commissions of Array, to the Fundamental Laws of the Land (four times together so styled and insisted on, as such, in this one Declaration of both Houses) the Right of Property of the Subject, contrary to former Resolutions, and the Petition of Right, yea (which is most abominable) to their own Declarations, Remonstrances, Votes, Protestations, Vows, Solemn Leagues and Covenants in Parliament, to their own eternal Infamy, as well as the peoples intolerable oppression and slavery; who thereupon may justly conclude and protest against them, as both Houses did in the close of this

34.

^{*} Exact Collection:
p. 888.

Declaration against the Array, viz. ^{*}And the Lords and Commons do and shall adhere to their former Votes & Resolutions, That all those that are Actors in putting of this Commission of Array (these Instruments, Ordinances new Taxes, Impositions, Excises) in execution, shall be esteemed disturbers of the Peace of the Kingdome, and of the Properties and Liberties of the Subject.

^{*} A Collection of all publick Orders, Ordinances, and Declarations of Parliament, p. 451, 452, 457, 458.

^{*} How have others of late (which they stile Parliaments) been convened?

10. The tenth Evidence is, ^{*} the Vote and Letter of both Houses of Parliament sent to his Majesty at Oxford, 9. March 1643. in Answer to his Majesties, of the third of March; and wherein there is this passage: We the Lords and Commons assembled in the Parliament of England, &c. Have resolved, with the concurrent advice and consent of the Commissioners of Scotland, to represent to your Majesty in all humility and plainness as followeth; That this present Parliament convened, according to the known and ^{*} FUNDAMENTAL LAWS OF THE KINGDOME (the continuance whereof is established by a law consented to by your Majesty) is in effect denied to be a Parliament, &c. And hereupon

we

we think our selves bound to let your Majesty know; That since the * continuance of this Parliament is settled by * Yet forcibly dissolved by the
a Law, (which as all other laws of your Kingdome, your Ma- Army, and some
jesty is sworn to maintain, as we are sworn to our Allegiance now in Power,
to your Majesty, those Obligations being reciprocally) we must against their
in duty, and accordingly are resolved, with our Lives and For- Commissions,
times, to Defend and preserve the just Rights and full Power of Oaths, Trusts,
this Parliament: To which the Earle of Essex (then Ge- Privilegions
neral) by both Houses order, in his Letter to the Earle of an Act of Par-
Forth January 30. 1643. adds this Corolary. My Lord, liament for
the maintenance of the Parliament of England, and the Pri- their continu-
vilegges thereof, is that for which we are resolved to spend our- ance; who
blood, as being **THE FOUNDATION WHEREON** may do well to
ALL OUR LAWS AND LIBERTIES ARE peruse this
BUILT: Which both the Lords and Commons assembled in clause. See c. 2.
Parliament, in their Declaration 23. March 1643. touching Proposition 6, 7.
their proceedings upon his Majesties Letter, concerning
a Treaty of Peace, (wherin this Earls former letter is re-
cited) thus second: *The Parliament of England is the one-
ly Basis, the chief support and Pillar of our Laws and Liberties,
&c.* And if notwithstanding all these Obligations, the
King shall at his pleasure dissolve this Parliament, the
Kingdome is not onely deprived of the present, but made
uncapable of enjoying the benefit of any future Parlia-
ment, or Law, any longer than shall stand with the will
and pleasure of the King: and consequently **THE FUN-
DAMENTALS OF ALL OUR LAWS AND GO-
VERNMENT ARE SUBVERTED.** Let the Parlia-
ment-purgling, securing, sequestering, dissolving Officers
Army, and their Confederates, seriously ponder this, yea let
all the whole English Nation and their Trustees who shall
hereafter sit in Parliament, consider and reform it in the
first place, if ever they expect any Freedome, free Parlia-
ments, Peace, settlement, enjoyment of their Fundamen-
tal Laws, Rights, or Liberties for the future, depending
on our Parliaments Freedome, and exemption from all
force and violence on its Members.

* A Collection
of c. p. 504.

The eleventh is, the * Ordinance of both Houses of Parliament, 13. Junii 1644. For the Forces raised in the County of Salop, which begins thus : 'The Lords and 'Commons assembled in Parliament, taking into their 'serious considerations, the great Oppressions under 'which the Inhabitants of the County of Salop lie, by 'reason the insupportable Taxes, &c. and the present 'condition of the County, by reason of the great number of Irish Rebels that have invaded it, and joyned with 'Papists and other ill affected Persons, now in those 'parts, which threaten the extirpation of the Protestants 'Religion, and the subversion of the FUNDAMENTAL 'LAWS and GOVERNMENT OF THE KINGDOM. For prevention whereof, &c. A direct Ordinance in point.

* A Collection
of c. p. 877,
878, 879.

The twelfth is, * a Declaration of the Commons of England, assembled in Parliament, 17. Aprilis 1646. 'Of their 'true intentions concerning the ANCIEN and FUNDAMENTAL GOVERNMENT OF THE KINGDOM, securing the people against ALL ARBITRARY GOVERNMENT, &c. wherein they complain, 'That 'the Enemy being in despair to accomplish his Designs 'by War, do mis-represent our intentions in the use we 'intend to make of the great successes God hath given us, 'and the happy opportunity to settle Peace and Truth 'in the three Kingdomes; to begot a belief that we now 'desire to excite, or swerve from our first Aym's and 'Principles in the undertaking of this War, and to recede from the Solemn League and Covenant, and Treaties between the two Kingdomes; and that we would 'prolong these uncomfortable troubles, and bleeding distractions, IN ORDER TO ALTER THE FUNDAMENTAL CONSTITUTION AND FRAME OF THIS KINGDOM, to leave all Government in 'the Church loose and unsettled, and ourselves to exercise THE SAME ARBITRARY POWER OVER THE PERSONS and ESTATES OF THE SUBJECTS, which this present Parliament hath thought 'fit to abolish, by taking away the Star-Chamber, High-

* And is not all this now proved a real experimental truth, in some of these Remonstrants, to their shame?

Commission, and other arbitrary Courts, and the exorbitant Power of the Council Table, (all which we have seen experimentally verified in every particular, in the highest degree, not withstanding this Declaration, by some in late and present power, and new White-hall Council Tables, exceeding the old in illegal Taxes, Law-making, and other extravagances:) All which being seriously considered by us, &c. We do declare, THAT OUR TRUE and REAL INTENTIONS ARE, and OUR ENDEAVOUR SHALL BE, to settle Religion in the purity thereof, * TO MAINTAIN THE ANCIENT and FUNDAMENTAL GOVERNMENT OF THIS KINGDOME, TO PRESERVE THE RIGHTS and LIBERTIES OF THE SUBJECT; to lay hold on the first opportunity of procuring a safe and well grounded peace in the three Kingdoms, and to keep a good understanding between the two Kingdomes of England and Scotland, according to the grounds expressed in the Solemn League and Covenant: And lest these generals should not give a sufficient satisfaction, we have thought fit, to the end men might no longer be abused in a misbelief of our intentions, or a misunderstanding of our actions, to make a further enlargement upon the particulars.

And first, Concerning Church-Government, &c. because we cannot consent to the granting of an Arbitrary and unlicensed Power and Jurisdiction, to near ten thousand Judicatories to be erected within this Kingdome, and this demanded in such a way, as is not consistent with the FUNDAMENTAL LAWS and GOVERNMENT OF THE SAME, &c. Our full resolutions still are, sincerely, really and constantly to endeavour the Reformation of Religion in the Kingdome of England and Ireland, in Doctrine, Worship, and Government, according to the word of God, and the example of the best Reformed Churches, and according to the Covenant. WE ARE *SO FARRE FROM ALTERING THE FUNDAMENTAL GOVERNMENT OF THIS KINGDOME BY KING, LORDS and COMMONS, that we have onely desired, that with the consent of the King, such Power may be settled in the TWO HOUSES, without which we can have no assurance,

* And can most of these Remnants in late or present Power, now say this in truth or reality? and must not they be utterly ashamed, confounded, before God and man, when they consider how they have dissembled, pervaricated with God and men herein, in each particular?

* And can the new Modellers of our Government over and over, who were parties to this Declaration, & then Members of the Commons House, say so now? or read this without blushing and self-abhorrence?

* Is not a superintendent power in the Army over, above & against the Parliament or People, far more dangerous & likely to introduce such an arbitrary Government in the Nation, if left in the General, Officers or their Councils power? Did not the imposing a Strange New Engagement, and sundry arbitrary Committers of Indemnity, &c. intrench it in the highest degree; and the misnamed high Courts of Justice, falsify this whole clause?

but that the like, or greater mischiefs than those which God hath hitherto delivered us from, may break out again, and engage us in a second and more destructive war; whereby it plainly appears, Our intentions are not to change the Antient Frame of Government within this Kingdome, but to obtain the end of the Primitive Institution of all Government, The safety and weal of the People; not judging it wise or safe, after so bitter experience of the bloody consequences of a * pretended Power of the Militia in the King, to leave any colourable authority in the same, for the future attempts of introducing AN ARBITRARY GOVERNMENT OVER THIS NATION. We do declare, That we will not, nor any by colour of any Authority derived from us, shall interrupt the * ordinary course of Justice, in the severall Courts of Judicatories of this Kingdome, nor intermeddle in the cases of private interest other where determinable, unlesse it be in case of male-Administration of Justice; wherein we shall see and provide, that Right be done, and punishment inflicted, as there shall be occasion; ACCORDING TO THE LAWS OF THE KINGDOME.

Lastly, Whereas both Nations have entered into a Solemn League and Covenant; we have, and EVER SHALL BE VERY CAREFULL DULY TO OBSERVE THE SAME: that as nothing hath been done, SO NOTHING SHALL BE DONE BY US REPUGNANT TO THE TRUE MEANING AND INTENTION THEREOF, &c. WHO WILL NOT DEPART FROM THOSE GROUNDS AND PRINCIPLES, upon which it was framed and founded.

Though the generality of the (afterwards,) secured and secluded Majority of the House of Commons, endeavoured constantly to make good this Declaration in all particulars; yet how desperately the garbled Minority thereof, continuing in power after their Seclusion, prevaricated; apostatized, and falsified their Faith herein in every particle, in the highest degree, we cannot but with greatest grief of heart, and detestation remember, to the subver-

on.

on, ruine of our King, Lords, Commons, Kingdome, Parliaments, Fundamentall Laws, Government, and the peoples Liberties, &c. almost beyond all hopes of restitution or reparation in humane probability, without a miracle from heaven. The Lord give them grace most seriously to consider repent of, and really, sincerely reform it now at last, and to make it the principle subject of their prescribed *publike Humiliations, Fasts and Lamentations*, as God himself prescribes; *Isa. 58. 5, 6, 7, 8. Jer. 34. 8. to 22. Ezech. 19. 1. 14. Hos. 10. 3, 4.* and not still to adde drunkenness to thirst, lest they bring them to temporall and eternal condemnation for it in Gods own due time, and engender endlesse Wars, Troubles, Taxes, Changes, Confusions in our Kingdomes, as they have hitherto done and will do till all be restored to their just Rights, Powers, Places, Possessions and Liberties.

* *Exact Collect.*

P. 4. 12. 34. 61.

243. 160. 321.

500. 503.

* See the hum-

ble Remon-

strance agst

the illegall Tax

of Ship-money

briefly discus-

sed. p. 2. &c.

Englons Birth

right & their

Treatises. The

Declaration of

Sir Thomas

Fairfax, and

the Army under

his Command,

tendered to the

Parliament,

June 14 1647.

concerning the

Just and Fun-

damental

Rights and Li-

berties of the

Kingdome.

By this full Jury of *Parliamentary Authorities*, to omit many others, of **like, or *inferiour nature*, and lesse moment, it is undeniable: That the people of England, have both ancient Fundamentall Rights, Liberties, Franchises, Laws, and a Fundamental Government, which like the Laws of the Medes and Persians, neither may nor ought to be altered, or innovated upon any pretence, but perpetually maintained, defended, with greatest care, vigilancy, resolution; and he who shall deny or oppugn it, deserves no refutation by further arguments, since it is a received Maxime in all Arts, *Contra Principia negantem non est disputandum*; but rather demerits a sentence of Condemnation and *publike execution* at Tyburn, as a Common Enemy, Traitor to our Laws, Liberties, Nation; it being no lesse than a transcendent crime, and High Treason by our Laws, for any person or persons, secretly or openly, to attempt the undermining or subversion of our fundamental laws, rights, Liberties, Government, especially by fraud, treachery, force or armed power and violence (the later part of my first proposal) which I shall now confirm by these twelve following Presidents and Evidences, corroborating likewise the former part, That we have such Fundamental laws, liberties, rights, franchises, and a fundamental Government 100.

*Walsingham,
Stow, Holinshed
Speed Grafton,
Trussil,
Baker in 5 R. 2.
John Stows
Survey of London
p. 89. 10101
Mr. St. Johns
Argument at
Law, at Strafs-
fords Attainles
p. 14.

In the* fifth year of King Richard the second, the vulgar rabble of people and villains, in Kent, Essex, Suffex, Norfolk, Cambridge-shire and other Counties, under the Conduct of Wat Tyler, Jack Straw and other Rebels, assembling together in great multitudes (occasioped at first by the new invented Tax of Poll-money, granted by Parliament, and the over-rigorous levying thereof, on the people, by the Kings Officers (though nothing so grievous as our Excises, Contributions, & new Imposts now, so long exacted without any legal Grant in true, free and full English Parliaments) resolved by force and violence, to abrogate the law of Villenage, with all other laws they disliked, formerly settled; to burn all the Records, kill and behead all the Judges, Justices, and men of law of all sorts, which they could get into their hands; to burn and destroy the Inns of Court, (as they did then the new Temple, where the Apprentices of the law lodged, burning their Monuments and Records of Law there found) to alter the tenures of lands, to devise new laws of their own, by which the Subjects should be governed: to change the ancient Hereditary Monarchicall Government of the Realm, and to erect petty elective Tyrannies and Kingdomes to themselves in every shire: (A project eagerly prosecuted by some Anarchicall Anabaptists, Jesuits, Levellers, very lately) and though withall they intended to destroy the King at last, and all the Nobles too, when they had gotten sufficient power; yet at first to cloak their intentions from the people, they took an Oath of all they met; - *Quod Regi & Communibus fidelitatem servarent*; that they should keep Allegiance and Faith to the King & Commons: Yea, Wat Tyler demanded a Commission from the King, to behead all Lawyers, Escheatiers, and others whatsoever that were learned in the laws, or communicated with the law by reason of their Office, conceiving in his minde, that this being brought to passe, all things afterwards would be ordered according to his own and the common peoples fancy. And he made his vaunt, putting his hand to his own lips; That before scure dayes came to an end, **ALL THE LAWS OF ENGLAND SHOULD PROCEED FROM HIS MOUTH.** (Which some of late times seem.

seem to speak not only in words, but deeds, by their manifold new laws and Edicts, repealing or contradicting our old) This their resolution and attempt thus to alter and *subvert the Laws and Government*, upon full debate in the Parliament of 5. R. 2. n. 30. 31. was declared to be High-Treason against the King and the Law, for which divers of the chief Actors in this *Treasonable Designe*, were condemned and executed, as Traitors, in severall places; and the rest enforced to a *publike submission*, & then pardoned. Let these imitators now remember this old President.

2. In the *Parliament of 11. R. 2. Cas appears by the Parliament Rolls and printed Statutes at large) three Privy Councillours, the Archbishop of York, the Duke of Ireland, and the Earl of Suffolk, the Bishop of Exeter, the Kings Confessor, five Knights, six Judges (whereof Sir Robert Tresilian Chief Justice was one) Blake, of the Kings Council at Law, *Wick*, and others, were impeached and condemned of High Treason, some of them executed as Traitors, the rest banished, their lands and goods forfeited, and none to endeavour to procure their pardon, under pain of Felony; for their endeavouring to overthrow a Commission for the good of the Kingdome, contrary to an Act of Parliament, by force of Arms, and opinions in Law delivered by these temporizing Judges and Lawyers, to the King, (through threats and terrour at Nottingham Castle) tending to subvert the Laws and Statutes of the Realm, overthrow the Power, Priviledges and proceedings of Parliament, and betray (not *all the House of Lords, but only) some of the Lords of Parliament. Which Judgement being afterwards reversed in the forced and packed Parliament of 21. R. 2. was reconfirmed in the Parliament of 1 H. 4. c. 3, 4, 5. and the Parliament of 21. R. 2. totally repealed, and admitted for ever, and hath so continued. Read Statut. at large.

* The Statutes at large, Stow, Holinshed, Speed, Grafton, Baker Trussell, in 10 & 21 R. 2. & 1 H. 4. M. St. Johns Speech concerning the Shipmony Judges p. 28. to 37. and argument at Law, at Straffords Attainder

* As some of late years have done.

3. In the *Parliament of 17 R. 2. n. 20. and Pas. 17 R. 2. B. Regis Rot. 16. Sir Thomas Talbot was accused and found guilty of High Treason, for conspiring the death of the Dukes of Gloucester, Lancaster, and other Peers, who maintained the Commission confirmed by Act of Parliament, 10. R. 2.

* M. St. Johns argument at Law, at Straffords Attainder p. 13, 14, 17

and assembling people in a warlike manner in the County of Chester, for effecting of it, in destruction of the estates of the Realm; and the Laws of the Kingdome.

*Hall, Fabian
Holinshead,
Speed, Grastor,
Stow, Marim,
Baker.

4. In the * 29. year of King Henry the sixth, Jack Cade, under a pretence to REFORM, alter and abrogate some laws, Purveyances and Extortions importable to the Commons where- upon he was called JOHN AMEND ALL) drew a great multitude of Kentish people to Black-beath, in a warlike manner, to effect it: In the Parliament of 29 H. 6. c. 1 this was adjudged High Treason in him and his Complices, by Act of Parliament: and the Parliament of 31. H. 6. c. 1. made this memorable Act against him, and his Imitators in succeeding ages; worthy serious perusal and consideration by all, who tread in his footsteps, and over- act him in his Treasons.

Whereas the most abominable Tyrant, horrible, odious, and errant FALSE TRAYTOR, John Cade, calling himself sometimes Mortimer, sometime Captain of Kent, (which Name, Fame, Acts and Feats, be to be removed out of the speech and minde of every faithfull Christian man perpetually) falsely and traitterously purposing and imagining the perpetuall destruction of the KINGS PERSON and FINAL SUBVERSION OF THIS REALM, taking upon him * ROYALL POWER, and gathering to him the Kings People in great number, BY FALSE SUBTIL, IMAGINED LANGUAGE: and seditiously made a stirring Rebellion, and insurrection, UNDER COLOUR OF JUSTICE, FOR REFORMATION OF THE LAWS OF THE SAID KING, robbing, slaying, spoiling a great part of his faithfull people: Our said Sovereign Lord the King, considering the premises, with many other, which were more odious to remember, by advice and assent of the Lords Spiritual and Temporal, and at THE REQUEST OF THE COMMONS, and by Authority aforesaid, Hath ordained and established, that the said John Cade shall be had, named and declared, A FALSE TRAYTOR, to our said Sovereign Lord the King, and that all his Tyranny, Acts, Feats, & false Opinions, shall be voided, abated, annulled, destroyed, and put out

* And have not others of late assumed to themselves more Royal power than be resolved to be Treason by 21. E. 3. Rot. Parl. & Cooks 3. Infrimus p 9.

of

of remembrance for ever. And that all Indictments, and things depending thereof, had and made under the power of Tyranny, shall likewise be void, adnulled, abated, repealed, and holden for none: and that the blood of none of them be defiled, nor corrupted, but by the Authority of the said Parliament clearly declared for ever. And that all Indictments in time coming, in like case, under power of Tyranny, Rebellion and stirring had, shall be of no regard or effect, but void in Law: And all the Petitions * delivered to the said King in his last Parliament holden at Westminster, the sixth day of November the 29. of his Reign, against his minde, by him not agreed, shall be taken and put in Oblivion, out of Remembrance, undone, voided, adnulled and destroyed for ever, as a thing purposed against God and his Conscience, and against his Royal estate and preheminence, and also DISHONORABLE and UNREASONABLE.

* To wit by Cade and his Confederates for the alteration of the laws

* See Mr. St. Johns argument against Strafford, p. 17. Halls Chronicle and Holinshed.

5. In the * 8 year of King Henry the 8. William Bell, and Thomas Lacy, in the County of Kent, conspired with Thomas Cheney (the Hermit of the Queen of Fairies) TO OVERTHROW THE LAWS AND CUSTOMS OF THE REALM: for effecting whereof, they with 200 more met together, and concluded upon a course of raising greater forces in Kent, and the adjacent Shires; This was judged High Treason, and some of them executed as Traitors. Moreover, it * was resolved by all the Judges of England, in the reign of Henry 8. that an Insurrection against the Statute of Laborers, or for the inbaising of Salaries and wages, or against any Statute, or to remove Councillors, or to any other end pretending Reformation of their own beads, was TREASON, and a levying war against the King. BECAUSE IT WAS GENERALLY AGAINST THE KINGS LAW, and the Offenders took upon them THE REFORMATION THEREOF, which Subjects by gathering of power ought not to do.

* Cooks 3. Institutes p. 9, 10.

6. On * December 1. in the 21. year of King Henry the 8. Sr. Thomas Moore, Lord Chancellour of England, with fourteen more Lords of the Privy Council, John Fitz-James, Chief Justice of England, and Sir Anthony Fitz-Herbert,

* Cooks 4. Institutes c. 8. p. 89. to 96.

Herbert, one of the Judges of the Common Pleas, exhibited sundry Articles of Impeachment to King Henry the 8. against Cardinal Wolsey: That he had by divers and many sundry wayes and fashions, committed High Treason, and NOTABLE GRIEVOUS OFFENCES, by misusing altering and subverting of his Graces Laws, and otherwise, contrary to his high Honour, Prerogative, Crown, Estate, and Dignity Royal; to the inestimable great hinderance, diminution and decay of the universal wealth of this his Graces Realm. The Articles are 43. in number, the 20, 21, 26, 30, 35, 37, 42, 43. contain, his illegal arbitrary practises and proceedings to the subversion of the due course and order of his Graces Laws, to the undoing of a great number of his loving people. Whereupon they pray. Please therefore your most excellent Majesty of your excellent goodnesse towards the Weal of this your Realm, and subjects of the same, to set such order and direction upon the said Lord Cardinal, as may be to terrible example of other, to beware to offend your Grace, and your Laws hereafter: and that he be so provided for, that he never have any Power, Jurisdiction or authority hereafter, to trouble, vex or impoverish the common-wealth of this your Realm, as he hath done heretofore, to the great hurt and damage of every man almost, high and low. His * poisoning himself prevented his legal judgement for these his Practises.

* See Speed,
Hollinshead,
Grafton, Stow,
Antiquitates
Ecclesiaz Brit.
p. 378. & 379.
and Godwin
in his life.

7. The Statute of 3. and 4. Ed. c. 5, 6. enacts, That if any persons, to the number of twelve or more, being assembled together, shall intend, go about, practise or put in use with force and arms, unlawfully of their own authority, TO CHANGE ANY LAWS made for Religion, by authority of Parliament, OR ANY OTHER LAWS OR STATUTES OF THIS REALM, STANDING IN FORCE, OR ANY OF THEM; and shall continue together by the space of an houre, being commanded by a Justice of Peace, Mayor, Sheriffe, or other Officer to return: or shall by ringing of any Bell, sounding of any Trumpet, Drumme, Horn, &c. raise such a number of persons, to the intent to put any the things aforesaid in ure, IT SHALL BE HIGH TREASON, and the parties executed as Traytors: After this

in the Statute of 1 Maria c. 12. Enacted, That if twelve or more in manner aforesaid, shall endeavour by force to alter any of the Laws or Statutes of the Kingdome; the offenders shall from the time therein limited, be adjudged **ONELY AS FELONS**, whereas it was Treason before: but this Act continuing but till the next Parliament, and then expired, the offence remains Treason, as formerly.

*Mr. St. Johns
Argument a-
gainst Strafford
p. 14, 15.*

8. In the 39. year of Queen Elizabeth, divers in the County of Oxford consulted together to go from house to house in that County, and from thence to London and other parts, to raise them to take arms for the throwing down of inclosures throughout the Realm; nothing more was prosecuted, nor assemblies made; yet in Easter Term 39. Elizabeth, it was resolved by all the Judges of England (who met about the Case) that this was High Treason, and a levying war against the Queen, because it was to throw down all inclosures throughout the Kingdom, to which they could pretend no right: and that the end of it was, **TO OVERTHROW THE LAWS AND STATUTES** for inclosures. Whereupon **BRADSHAW** and **BURTON** (two of the principal Offenders) were condemned and executed at Ainstow Hill in Oxfordshire, where they intended their first meeting.

*Coote's Hist.
c. 1. p. 9, 10.
Mr. St. Johns
Argument at
law against
Strafford, p. 15,
16.*

9. To come nearer to our present times and case: In the last Parliament of King Charles, Anno 1640. * The whole House of Commons impeached Thomas Earl of Strafford, Lord Deputy of Ireland, of High Treason; amongst other Articles, for this Crime especially (wherein all the other centred) That he hath **TREASONABLY ENDEAVOURED** by his Words, Actions and Counsels, **TO SUBVERT THE FUNDAMENTALL LAWS** and **GOVERNMENT OF ENGLAND** and **IRELAND**, and introduce an arbitrary and Tyrannical Government. This the whole Parliament declared and adjudged to be High Treason, in and by their Votes, and a special Act of Parliament for his Attainder; for which he was condemned, and soon after executed on Tower-Hill, as a Traytor to the King and Kingdom, May 22. 1641.

** See the Journals of both Houses, & An-
swer to his At-
tainer. Mr. Pym's
Declaration
upon the whole
matter of the
Charge of High
Treason, a-
gainst him, A-
prill 12. 1641.
Mr. St. Johns
argument at
law, at his At-
tainer, and
Diurnal Occur-
rences.*

* See the Commons and Lords Journals, his printed Impeachment, Mr. Pym's Speech thereat, Canturburies Doom p. 25, 26, 27, 38, 40.
See Chap. 2. Proposition 1.
* Do not others now do it, who impeached and condemned him, in an higher degree then he?
* Is it not so in the New Instrument Article 1.
2, 3, 4, 5, 9, 10, 12, 13, 16, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 37, 38, 39, 40.
42. of our New Government, and those that compiled and prescribed it to the Kingdoms.

10. The whole House of Commons the same Parliament, impeached * William Laud Arch-bishop of Canterbury, of HIGH TREASON; in these very terms, February 6, 1640.

First, That he hath traiterously endeavoured to subvert the Fundamental Laws and Government of this Kingdom of England, and instead thereof, to introduce an arbitrary and tyrannical Government against Law: And he to that end hath wickedly and TRAITEROUSLY advised his Majesty, that he * might at his own will and pleasure, levy and take money of his Subjects without THEIR CONSENT IN PARLIAMENT; and this he affirmed was warrantable by the law of God.

Secondly, 'He hath for the better accomplishment of that his Traiterous Designe, advised and procured Sermons and other Discourses, to be preached, printed and published; in which the * Authority of Parliaments, and the force of the Laws of this Kingdom have been denyed, and absolute and unlimited Power over the Persons and Estates of his Majesties Subjects maintained and defended, not only in the King, but in himself and other Bishops, against the Law.

Thirdly, 'He hath by Letters, Messages, Threats and Promises, and by divers other ways to Judges, and other Ministers of Justice, interrupted, perverted, and at other times by means aforesaid hath endeavoured to interrupt and pervert the course of Justice in his Majesties Courts at Westminster and other Courts, TO THE SUBVERSION OF THE LAWS OF THIS KINGDOME, whereby sundry of his Majesties Subjects have been stopt in their just suits, deprived of their lawfull Rights, and subjected to his Tyrannicall will, to their ruine and destruction.

Fourthly, 'That he hath traiterously endeavoured to corrupt the other Courts of Justice, by advising and procuring his Majesty to sell places of Judicature and other Offices, CONTRARY TO THE LAWS and CUSTOMES in that behalf.

Fifthly, That he hath TRAITEROUSLY caused a Book of Canons to be compiled and published, with-

out any lawfull warrant and Authority in that behalf; ** Are there not*
 in which pretended Canons ** many matters are contained, more such mat-*
 contrary to the Kings Prerogative, to the Fundamental Laws *ters contained*
 and Statutes of this Realm, to the Rights of Parliament, to *in the new*
 the Property and Liberty of the Subject, and matters tending *Instrument of*
 Sedition, and of dangerous consequence, and to the establish- *Government*
 ing of a vast, unlawfull presumptuous power in himself and his *than in these?*
 successors, &c.

Seventhly, That he hath traiterously endeavoured
 to alter and subvert Gods true Religion BY LAW ESTA-
 BISHED; and instead thereof to set up Popish Reli-
 gion and Idolatry: And to that end hath declared, and
 maintained in Speeches and printed Books; diverse Po-
 pish Doctrines and Opinions, contrary to the Articles
 of Religion ESTABLISHED BY LAW. He hath urged
 and enjoyned divers Popish and Superstitious Ceremo-
 nies WITHOUT ANY WARRANT OF LAW; and
 hath cruelly persecuted those who have opposed the
 same, by corporal punishment, and imprisonments;
 and most unjustly vexed others, who refused to con-
 form thereto by Ecclesiasticall Censures, Excommu-
 nication, Suspension, * Deprivation, and Degradation, ** Have not ar-*
 CONTRARY TO THE LAWS of this kingdome. *bitrary Commit-*

Thirteenth, He did by his own authority and power
 contrary ** to Law, procure sundry of his Majesties Sub-*
 jects, and enforced the Clergy of this Kingdome to con- *places done the*
 tribute towards the maintenance of the War against the *like, or worse,*
 Scots. *in many cases?*
** Have not o-*

That to preserve himself from being questioned, for
 these & other his Traiterous courses, he hath laboured
 to subvert the Rights of Parliament, and the ancient course of
 Parliamentary proceedings, (and have not the Army Offi-
 cers and others actually done it since upon the same
 accompt?) and by false and malicious slanders to in-
 cente his Majesty against Parliaments. *thers done the*
like in an high
or degree?

All which being proved against him at his Triall,
 were after solemn Argument by Mr. Samuel Brown, in
 behalf of the Commons House, proved; and soon

* See the Commons and Lords Journals, Diurnal Occurrences, p. 15, 16 19, 37, 191 to 264. and Mr. St. Johns Speech at a Conference of both Houses of Parliament concerning Ship money & these Judges, Together with the Speeches of Mr. Hyde, Mr. Waller, Mr. Per-pour, M. Den-zill Hollis &c. their Impeachments, July 6. 1641. aggravating their offences, in Diurnal Occurrences and Speeches, p. 237 to 264.

* Now others presume to do it without writ or consulting with the Judges who be condemned it in them. See c. 2. Proposition 1.

* Have not others been sole Judges of it, and other pretend dangers since?

after adjudged, to be High Treason at the Common Law, by both Houses of Parliament; and so declared in the Ordinance for his Attainder: for which he was condemned and beheaded as a Traitor, against the King, Law and Kingdom, on Tower Hill, January 10. 1644.

11. In the * same Parliament, December 21. Jan. 14. Febr. 11. 1640. and July 6. 1641. Sir John Finch, then Lord Keeper, Chief Justice Bramston, Judge Berkeley, Judge Crawly, Chief Baron Davenport, Baron Weston, and Baron Trevor, were accused and impeached by the House of Commons, by several Articles transmitted to the Lords, OF HIGH TREASON, for that they had Traitorously and wickedly endeavoured, to subvert the Fundamental Laws and established Government of the Realm of ENGLAND; and instead thereof to introduce an Arbitrary and Tyrannical Government against Law; which they had declared, by traitorous and wicked words, opinions, judgments; and more especially in this their extrajudicial opinion, subscribed by them in the case of Ship money, viz. We are of opinion, that when the good and safety of the Kingdom in general is concerned, and the whole Kingdom in danger; your Majesty may by Writ, under the Great Seal of England (without consent in Parliament) command all your Subjects of this your Kingdom, at their charge to provide and furnish such a number of Ships, with Men, Victuall and Ammunition, and for such time as your Majesty shall think fit for the Defence and safeguard of the Kingdom, from such danger and peril. And we are of Opinion, that in such case, your Majesty is the * sole Judge both of the danger, and when, and how, the same is to be prevented, and avoided. And likewise for arguing and giving judgment accordingly, in Mr. John Hampden's case, in the Exchequer Chamber, in the point of Ship money, in April 1638: which said opinions, are destructive to the Fundamental Laws of the Realm, the Subjects Right of Property, and contrary to former Resolutions in Parliament, and the Petition of Right; as the words of their severall Impeachments run. Sir John Finch fled the Realm, to preserve his head on his shoulders; some others of them died through fear, to prevent the danger, soon after their Impeachments, and the

the rest who were lesse preccant, were put to Fines.

12. Mr. John Pym, in his Declaration upon the whole matter of the charge of High Treason against Thomas Earl of Strafford; April 12. 1643. before a Committee of both Houses of Parliament in Westminster Hall; printed and published by Order of the House of Commons; proves his endeavour to subvert the Fundamental Laws of England, and to introduce an Arbitrary Power; to be High Treason, and an offence very hainous in the nature, and mischievous in the effects thereof; which (saith he) will best appear, if it be examined by that universall and supream Law, *Salus Populi*: the element of all Laws, out of which they are derived: the end of all Laws, to which they are designed, and in which they are perfected.

1. 'It is an offence comprehending all other Offences.
'Here you shall finde several Treasons, Murthers, Rapines, Oppositions, Perjuries. There is in this Crime, a Seminary of all evils, hurtfull to a State; and if you consider the Reasons of it, it must needs be so. The Law, is that which puts a difference betwixt good and evil; betwixt just and unjust. If you take away the law, all things will fall into confusion; every man will become a law to himself, which in the depraved condition of humane nature, must needs produce many great enormities. * Lust will become a Law; and Envy will become a law; Covetousnesse and Ambition will become laws; and what Dictates, what decisions such laws will produce, may easily be discerned in the late Government of Ireland (and England too since this.) The law hath a power to prevent, to restrain, to repair evils: without this all kinde of mischiefs and distempers will break in upon a State. It is the Law that inthrones the King to the Allegiance and Service of his people; it intitles the People to the Protection and Justice of the King, &c. The Law is the Boundary, the measure betwixt the Kings Prerogative, and the Peoples Libertie; whilst these move in their Orbe, they are a support and security to one another; but if these Bounds be so removed, that they

Nota.

* And are they not so now?

enter into contestation and conflict, one of these great mischiefs must needs ensue: if the Prerogative of the King overwhelm the Liberty of the people, it will be turned into Tyranny; If Liberty undermine the Prerogative, it will turn into Anarchy. The Law is the safeguard, the custody of all private interests: your Honours, your Lives, your Liberties, and your estates, are all in the keeping of the Law: without this, every man hath a like Right to any thing: and this is the condition into which the Irish were brought by the Earl of Strafford; (and the English by others who condemned him) And the reason which he gave for it, hath more mischief than the thing it self: **THEY ARE A CONQUERED NATION**, (let those who now say the same of England, as well as Scotland and Ireland, consider and observe what follows) There cannot be a word more pregnant and fruitfull **IN TREASON**, than that word is. There are few Nations in the world, that have not been conquered, and no doubt but the conqueror may give what Laws he please to those that are conquered. But if the succeeding Parts and Agreements do not limit and restrain that right, what people can be secure? England hath been conquered, and Wales hath been conquered, and by this reason will be in little better case than Ireland. If the King by the Right of a Conqueror give Lawes to his people, shall not the people by the same reason be restored to the Right of the conquered, to recover their Liberty, if they can? What can be more hurtful, more pernicious, than such Propositions as these?

And did not some at White-Hall do so of late, and now too witness their volumes of new Declarations, edicts, Ordinances there made.

Have not others taken up such Principles in their practices, proceedings even against Kings Kingdomes, Parliament, Peers, as well as private persons?

2. It is dangerous to the Kings Person: and dangerous to his Crown: it is apt to cherish ambition, usurpation, and oppression in great men: and to beget sedition, discontent in the people, and both these have been, and in reason must ever be great causes of trouble and alterations to Printe and State. If the Histories of those Eastern Countries be perused, where Princes order their affairs, according to the mischievous Principles of the Earl of Strafford, Loose and absolved from all Rules of Government, they will be found to be frequent in combustions, full of Massacres, and the tragical end of Prin-

ces. If any man shall look into our own Stories, in the times when the Laws were most neglected, he shall finde them full of Commotions, of Civill distempers, whereby the Kings, that then raigned, were alwaies kept in want and distresse, the people consumed with CIVIL WARS: and by such wicked Counsels as these, some of our Princes have been brought to such miserable ends, As **no honest heart can remember without borrow and earnest Prayer, that it may never be so again.*

Nota.

** Note this, all the whole Commons-House opinion then.*

3. As it is dangerous to the Kings Person and Crown, so it is in other respects very prejudiciall to his Majesty, in honour, profit and greatnesse (which he there proves at large, as you may there read at leisure) and yet these are the Guldings and Paintings, that are put upon such Counsels: These are for your Honour, for your Service.

4. It is inconsistent with the Peace, the Wealth, the Prosperity of a Nation. It is destructive to Justice, the mother of Peace: to Industry, the spring of Wealth; to Valour, which is the active vertue whereby the Prosperity of a Nation can onely be procured, confirmed, and enlarged. It is not onely apt to take away Peace, and so intangle the Nation with Wars, but doth corrupt Peace, and pours such a Malignity into it, as produceth the effects of Warre: both to the **NOBILITY* and others, having as little security of THEIR PERSONS OR ESTATES, in this peaceable time, as if the Kingdome had been under the fury and rage of Warre.

** Is not this an experimental truth now?*

And as for industry and valour, who will take pains for that, which when he hath gotten is not his own? or who fights for that wherein he hath no other interest, but such as is subject to the will of another? &c. Shall it be Treason to embase the Kings Coyne, though but a piece of twelve pence or six pence, and must it not needs be the effect of greater Treason to **embase the spirits* of his Subjects, and to set a stamp and character of Servitude upon them, whereby they shall be disabled to do any thing for the service of the King or Commonwealth?

** And were they ever so base, cowardly, slavish as now?*

5. In

5. 'In times of sudden danger, by the Invasi^on of an Enemy, it will disable his Majesty to preserve himself, and his Subjects from that danger: When war threatens a Kingdome, by the coming of a Forraigh Enemy, it is no time then to discontent the people, to make them weary of the PRESENT GOVERNMENT, and more inclinable to a change. The supplies which are to come in this way, will be unready, uncertain; there can be no assurance of them, no dependance upon them, either for time or proportion. And if some money be gotten in such a way, the distractions, the divisions, distempers, which this course is apt to produce, will be more prejudicial to the publike safety, than the supply can be advantagious to it.

6. 'This crime is contrary to the Pact and Covenant between the King and his People; by mutuall agreement and stipulation, confirmed by OATH on both sides.

7. 'It is an Offence that is contrary to the ends of Government.

• Was ever
their power, vi-
olence so unli-
mited, unboun-
ded in all kinds
as now against
Kings, King-
doms, Parlia-
ments, Peers,
People?
• Is it not most
true of late and
still?

1. 'To prevent Oppressions; to * limit and restrain the excessive power and violence of great men; to open passages of Justice with indifferency towards all.

2. 'To preserve men in their Estates, to secure them in their Lives and Liberties.

3. 'That Vertue should be cherished, and Vice suppressed; but where Laws are subverted, and Arbitrary, and unlimited pow-
er set up; a way is open not onely for the security, as now of all
heresies, but for the advancement and incouragement of evil.

Such men as are * aptest for the execution and maintenance of
this power, are onely capable of preferment; and others, who
will not be Instruments of any unjust Commands, who make
Conscience to do any thing against the law of the Kingdome, and
Liberties of the Subject, are not onely not passable for im-
ployment, but SUBJECT TO MUCH JEALOUSIE and
DANGER. (Is not this their condition of late and
present times, even in Parliament Members themselves, as
well as others, secured, secluded, kept close prisoners per-
force, for making Conscience of doing nothing against
the

the Laws and Liberties of the Kingdom, and their Oaths and Covenants too? and refusing to comply with usurping Innovators in all their self-seeking extravagancies and Treasons? *expertus loquor.*)

4. That all accidents and events, all Counsels and Designs should be improved for the publique good. But this arbitrary power is apt to dispose all to the maintenance of it self. (And is it not so now?)

8. 'The Treasons of subversion of the laws, violation of Liberties can never be good or justifiable by any circumstance or occasion, being in their own nature, how specious or good soever they be pretended. He alledgeth it was a time of GREAT NECESSITY and DANGER, when such Counsels were necessary, FOR THE PRESERVATION OF THE STATE; (the Plea since, and now used by others, who condemned him;) If there were any NECESSITY IT WAS OF HIS OWN MAKING. He by his evill Counsell had brought the King (as others the Kingdome since) into a Necessity; and by no rules of Justice can be allowed to gain this advantage to his Justification; which is A GREAT PART OF HIS OFFENCE.

9. 'As this is Treason in the nature of it, so it doth exceed all other Treasons in this; that in the Designe and endeavour of the Authour, it was to be A CONSTANT and PERMANENT TREASON; a standing perpetual Treason; which would have been in continual Act, not determined within one time or age, but transmitted to Posterity, even from Generation to Generation. And are not others Treasons of late times such, proclaimed such, in and by their own Printed papers; and therein exceeding Straffords?

10. 'As it is odious in the nature of it, so it is odious in the Judgement and estimation of the Law. TO *ALTER THE SETTLED FRAME and CONSTITUTION OF GOVERNMENT, IS TREASON IN ANY ESTATE. (Let those consider it who are guilty of it in the highest degree, beyond Strafford, Canterbury, or the Ship money-Judges in our own State.) The Laws

G

whereby

* See Article 2,
2, 3, 4, 5, 10, 11,
12, 13, 16, 21,
22, 24, 25, 26,
27, 28, 29, 30,
31, 32, 33, 39 &
p. 45, 46. of the
Government of
the Commonwealth of Eng-
land, &c.
Doth not the
Declaration of
17 March 1648
and the Instru-
ments of the
new Govern-
ment do it, in
the highest de-
gree?

‘whereby all parts of a Kingdome are preserved, should
 ‘be very vain and defective, if they had not a power to se-
 ‘cure and preserve themselves.

* And others as
 well as he, of
 far inferiour
 place & estate.

‘The Forfeitures inflicted for Treason by our Law, are
 ‘of Life, Honour, and Estate, even all that can be forfei-
 ‘ted: and this Prisoner, although he should *pay all these
 ‘Forfeitures, will still be a Debtor to the Common-wealth.
 ‘Nothing can be more equal, than that he should perish by
 ‘the Justice of the Law, which he would have subverted: nei-
 ‘ther will this be a New way of blood. There are marks
 ‘enough to trace this Law to the very Original of this
 ‘Kingdome. And if it hath not been put in execution,
 ‘as he alledgeth, this two hundred and forty years; it
 ‘was not for want of LAW, but that all that time had
 ‘not bred a man *bold enough to commit such Crimes
 ‘as these: which is a circumstance much aggravating his
 ‘Offence, and making him no lesse liable to punishment:
 ‘he is THE *ONLY MAN, that in so
 long a time hath ventured UPON SUCH A TREA-
 SON AS THIS.

* But have not
 our times bred
 men much bol-
 der than he,
 since this speech
 was made, and
 he executed?

* Since, he hath
 many followers.

Thus far Mr. John Pym; in the Name and by the Or-
 der and Authority of the whole Commons House in Parlia-
 ment: which I wish all those, who by their Words, Alti-
 ons Counsels (and printed Publications too) have trait-
 erously endeavoured to subvert the Fundamentall Laws, Liberties,
 Government, Parliaments of England and Ireland, and to
 introduce an Arbitrary and Tyrannical Government against law,
 as much as ever Strafford did, yea, far out stripped him
 therein (even since his execution) in all particulars, for
 which he was beheaded; would now seriously lay to
 heart, and speedily reform, lest they equal or exceed him
 in conclusion in capital punishments for the same, or end-
 lesse Hellish Torments.

13. The next Authority I shall produce in point, is,
 The Speech and Declaration of Master Oliver St. John,
 at a Conference of both Houses of Parliament, concern-
 ing SHIP MONEY, upon Judge Finches Impeachment
 of High Treason, January 14. 1640. printed by the Com-

mon Order, London, 1641. wherein he thus declares the sense of the Commons, p. 12. &c.

'That by the Judges opinions (*forecited) concerning Ship. *p. 36.

'mony, THE FUNDAMENTAL LAWS OF THE

'REALM CONCERNING OUR PROPERTIES

'and OUR PERSONS ARE SHAKEN: whose Trea-

'sonable Offence herein, he thus aggravates, page 20. &c.

'The Judges, as is declared in the Parliament of 11 R. 2.

'are the Executors of the Statutes, and of the Judgments and

'Ordinances of Parliament. They have made themselves the

'*EXECUTIONERS OF THEM; they have in-

* Have none
done so since
them?

'deavoured the DESTRUCTION OF THE FUNDA-

'MENTALS OF OUR LAWS and LIBERTIES.

'Holland in the Low Countries, lies under the Sea:

'the superficies of the Land, is lower than the

'superficies of the Sea. It is Capitall therefore for any

'man to cut the Banks, because they defend the Coun-

See Chap. 2.
Proposition. 1.

'try: Besides our own, even Forraign Authours, as

'Comines, observes, That the Statute DE TALLAGIO,

'and the other Old Laws, are the Sea Walls and Banks,

'which keep the Commons from the inundation of the

'Prerogative.

'These *Pioneers have not onely undermined these banks,

* Have not o-
ther Pioneers
and Judasses
done the like?

'but have levelled them even with the ground. If one

'that was known to be Hostis Patria, had done this,

'though the Damage be the same, yet the Guilt is lesse;

'but the Conservatores Riparum, the Overseers intrusted

'with the Defence of these Banks, for them to destroy

'them; the breach of Trust aggravates, nay, alters the

'nature of the offence: Breach of Trust, though in a pri-

'vate Person, and in the least things, is odious amongst

'all men: much more in a publike Person, in things

'of great and publike concernment, because *GREAT

* This is grown
a meer Paradox
of late years, in
Judges, sould-
iers & others

'TRUST BINDES THE PARTY TRUSTED

'TO GREATEST CARE AND FIDELI-

'TY.

* what are they
now of late
times of pub-
like Changes?

* See 27 H. 8.
c. 24, 26. Ma-
gna Charta
c. 13. 29. 52.
H. 3. c. 1, 3, 5,
9, 20. 3 E. 1.
c. 44, 45, 46.
13 E. 1. c. 10,
12, 30, 31, 35,
39, 44, 45.
25 E. 1. c. 1, 2.
27 E. 1. c. 2, 3.
34 E. 1. c. 6.
12 E. 2. c. 6.
2 E. 3. c. 3.
14 E. 3. c. 10.
16. Rastal Ju-
stices.

* Was it ever
so frequent a
sin as now in
all sorts of late
Judges, Offi-
cers, Subjects

* Do none de-
serve as severe
now?

* See Cookes 3.
Institutes p.
128, 147, and
page 133. Ho-
linshead, page 284, 285. Speeds History page 651. Stow, Walsingham, Daniel &
28 E. 1.

It is TREASON in the Constable of Dover Castle
to deliver the Keys to the known enemies of the King-
dome: Whereas if the House-keeper of a private per-
son, deliver possession to his Adversary, it is a crime
scarce punishable by Law. The Judges under his Ma-
jesty, are the Persons trusted with the Laws, and in
them with the Lives, Liberties and Estates of the whole
Kingdome. This Trust of all we have, is primarily from
his Majesty, and * from him delegated to the Judges.
His Majesty at his Coronation, is bound by his Oath TO
EXECUTE JUSTICE TO HIS PEOPLE ACCOR-
DING TO THE LAWE; thereby to assure the
People of the faithfull performance of his GREAT
TRUST: His Majesty again, as he trusts the Judges
with the performance of this part of his Oath; so doth
he likewise exact another Oath of them, for their due
execution of Justice to the people, according to the
Laws: hereby the Judges stand intrusted with this part
of his Majesties Oath. If therefore the Judges shall doe
wittingly against the Law, they doe not only break
their own Oaths, and therein the Common Faith and Trust
of the whole Kingdome; but do as much as in them lies,
asperse & blemish the sacred Person of his Majesty, with
the odious and hatefull sin of * Perjury.

My Lords, the hainousness of this offence is most
legible in the * severe punishment; which former Ages
have inflicted upon those Judges, who have broken any
part of their Oaths wittingly, though in things not
so dangerous to the Subject, as in the case in ques-
tion.

* Sir Thomas Walsingham, Chief Justice of the Common
Pleas 17 E. 1. was attainted of Felony for taking Bribes,
Stow, Walsingham, Daniel &
28 E. 1.

'and his Lands and Goods forfeited, as appears in the Pleas
'of Parliament, 18 E. 1. and he was banished the Kingdome,
'as unworthy to live in the State, against which he
'had so much offended.

'Sir *William Thorpe* Chief Justice of the Kings Bench, in *Edward the thirds* time, having of five persons received five severall Bribes, which in all amounted to one hundred pounds, was for this alone, adjudged to be hanged, and all his Goods and Lands forfeited: The reason of the Judgment is entered in the Roll, in these

* See Cooks 3
Instit. p. 145.

words. *Quin prædictus Willielmus** *Thorp, qui Sacramen-*
tum Domini Regis erga populum suum habuit ad custodiendum,
fregit malitiose, falsè & rebelliter, quantum in ipso fuit.
There is a notable Declaration in that Judgement, that
this judgement was not to be drawn into example, a-
gainst any other Officers, who should break their
Oaths, but onely against those, *qui prædictum Sacra-*

Have none of
this name, or of
this Function
since done as
bad or worse
in an high-
er degree?

mentum fecerunt, & frugerunt, & * habent Leges Anglie
ad custodiendum : That is, onely to the Judges Oaths, who
have the Laws intrusted unto them. This Judgement
was given 24 E. 3. The next year in Parliament 25 E. 3.
3. Numb. 10. It was debated in Parliament, whether
this Judgement was legal? Et nullo contradicente, it
was declared, TO BE JUST AND ACCORDING

Let Custodes
Legum & Li-
bertatum An-
glie and those
now called
Judges, re-
member it!

TO THE LAW: and the * same Judgement may be gi-
ven in time to come upon the like occasion. This case is an
point, That it is death for any JUDGE wittingly to break
his OATH in any part of it. This OATH of THORP
is entered in the Roll, and the same Verbatim with the
Judges OATH in 1 BEDw. 3. and is the same which the
Judges now take. (And let those who have taken the
same Oath, with the * OATHES OF SUPRE-
MACY and ALLEGIANCE too, remember,
and apply this PRESIDENT, lest others do it for
them.)

Let the Reporter
and others
consider it

"Your Lordships will give me leave to observe the differences between that and the case in question.

1. 'That of *Thorpe*, was onely a selling of the Law by
'*Retaile*, to these five persons; for he had five severall
'*Bribes*, of these five persons; the Passage of the Law
'to the rest of the Subjects, for ought appears, was free
'and open. But these *Opinions* are a conveyance of the
'Law by *whole sale*, and that not to, but from the Sub-
'ject.

2. 'In that of *Thorpe*, as to those five persons, it was
'not an *absolute deniall* of Justice, it was not a damming
'up, but a *straitning onely* of the *Chancel*. For whereas,
'the Judges ought *Judicium reddere*, that is, the Lawes
'being THE BIRTH-RIGHT and INHERITANCE
'OF THE SUBJECT, the Judge when the parties in
'suit demand Judgment, should *re-dare*, freely restore
'the Right unto them; now he doth not *dare*, but *ven-*
'*dere*, with hazard onely of perverting Justice; for the
'party that buyes the Judgment, may have a good and
'honest cause. But these *Opinions*, besides that, they have
'cost the Subjects very dear, dearer than any; nay, I
'think, I may truly say, than all the unjust Judgments
'that ever have been given in this Realm, witnesse the
'many hundred thousand pounds, which under colour
'of them, have been levied upon the Subjects, amount-
'ing to ^{*}seven hundred thousand pounds and upwards,
'that have been paid unto the *Treasurers* of the Navy (in
'sundry years) besides what the Subjects have been for-
'ced to pay *Sheriffs*, *Sheriffs Bailiffs* (and now an hun-
'dred times more to *Troopers*, and *Souldiers*, who for-
'cibly levy their unlawfull Contributions and Excises,
'though adjudged HIGH TREASON in *Straffords* case,
'and proved such by Master *St. John*) and otherwise;
'which altogether as is conceived, amounts not to lesse
'than a *Million* (in five years space, whereas we pay above
'two *Millions* in Taxes, *Imposts*, *Excises*, every year)
'besides the infinite vexations of the Subject, by suits in
'Law, binding them over, and attendance at the Coun-
'cel Table, taking them from their necessary employ-
'ments, in making *Sesses* and *Collections*, and impris-
sonment

* This is no-
thing incompa-
rison to the late
Taxes, Ship mo-
ny, Excises im-
posed on the
subjects, with-
out a Parlia-
ment, amount-
ing to above 20
times as much
as the Kings
Ship mony, and
more frequent,
successant, and
endlesse then it.

'sonment of their persons (all now trebled to what
'then.) I say, Besides what is past, to make our mis-
'eries compleat, they have as much as in them is, MADE
'THEM ENDLESSE (as others since have done, by un-
'cessant endlesse Taxes and Excises:) for by these opi-
'nions, they have put upon themselves and their suc-
'cessors, *An impossibility of ever doing us right again, and*
'*an incapacity upon us of demanding it so long as they continue.*
(As the Compilers of the late *Instrument*, with 42 Strings,
intituled, *The Government of the Common Wealth of Eng-*
land, &c. Article 1, 2, 3, 9, 10, 12, 22, 24, 25, 27, 28, 29, 31,
32, 36, 37, 38, 39. have done, as far as they, and much be-
yond them.)

'In that sore famine in the land of Egypt, when the
'inhabitants were reduced to the next door to death;
'(for there they say, why should we die?) for bread,
'first they give their money, next their Flocks and Cat-
'tle; last of all, their Persons and Lands for Bread, all
'became *Pharoabs*; but by this, *Lex Regia*, there is a
'transaction made, not onely of our Persons, but of
'our bread likewise, wherewith our persons should be
'sustained; that was for bread, this of our bread. For
'since these Opinions, if we have any thing at all, we
'are *not at all beholding TO THE LAW FOR
'IT, but are wholly cast UPON THE MERCY and
'GOODNESSE OF THE KING.

*Are we now
beholding to it
for any thing a-
gainst the onely
new Law of the
longest sword?
which takes
imposeth what
when, and how
much it plea-
seth, without
accompt, or di-

'Again, there the Egyptians themselves, sold them-
'selves, and all they had to the King: if ours had been so
'done; if it had been so done by our own free consent
'in PARLIAMENT, we had the lesse cause to com-
'plain. But it was done against our Wils, and by those who
'were intrusted, and that UPON OATH, with the preser-
'vation of these things for us. The Laws are our Forts and
'Bulwarks of defence: If the Captain of a Castle, only out of
'fear and cowardice, and not for any compliance with the
'enemy, surrender it, this is *Treason*, as was adjudged in
'Parliament, 1 R. 2. in the two Cases of *Gomines* and *We-*
'ston, and in the Case of the Lord *Gray*, for surrendering

spate, from all
sorts and de-
grees of
Persons; and
that by those
who were com-
missioned, trust-
ed, engaged by
Oaths, Proce-
ssations, Vows,
League and
Covenant to
preserve our
laws and pro-
perties.

Barwick

Barwick Castle to the Scots, in Edward the thirds time, though good Defence had been made by him, and that he had lost his eldest Son in maintenance of the Selge: and yet the losse of a CASTLE loseth not the Kingdom, onely the place and adjacent parts, with trouble to the whole. But by these Opinions, there is a Surrender made of all our Legall Defence of Property: that which hath been Preacht, is now judged; that there is no Meum and Tuum, * between the KING AND PEOPLE; besides that which concerns our Persons.

* Is there any between the late & present powers and them, further or longer than they please?

The LAW is the TEMPLE, the Sanctuary, whither Subjects ought to run for SHELTER and REFUGE: Hereby it is become *Templum sine Numine*, as as was the Temple built by the Roman Emperour, who after he had built it, put no Gods into it; We have the Letter of the Law still, but not the sense: We have the Fabrick of the TEMPLE still, but the * *Dii Tutelares* are gone. But this is not all the case, that is, That the law now ceaseth to aid and defend us in our RIGHTS, for then possession alone were a good Title, if there were no Law to take it away: *Occupanti concederetur, & melior esset Possidentis conditio*: But this, though too bad, is not the worst: for besides that which is Privative in these Opinions, there is somewhat Positive. For now the Law doth not onely not defend us, but the Law, it self, (by temporizing Judges and Lawyers) is made the Instrument of taking all away. For whensoever * his Majesty or his Successors, shall be pleased to say, that the good and safety of the Kingdome is concerned, and that the whole kingdome is in danger; the when, and how the same is to be prevented, makes our persons and all we have liable to bare Will and Pleasure. By this meanes, the Sanctuary is turned into a Shambles; the Ports are not slighted, that so they might neither do us good or hurt; But they are held against us by those who ought to have held them for us, and the mouth of our own Canon is turned upon our own selves: (And that by

* Are they not so now?

* It is not so now, when others who condemned and beheaded him for a Tyrant, say, pretend all it over and over.

Note.

our

our own Military Officers, Souldiers and others since, as well as the Ship money Judges then.) Thus far Master Oliver St. John (by the Commons Order) whose words I thought fit thus to transcribe at large, because not only most pertinent, but *seasonable* for the present times; wherein as in a Looking Glasse, some pretended Judges and Grandees, of these present and late past times, may behold their own faces and deformities; and the whole Nation their sad condition under them. In the residue of that Printed Speech, he compares the Treason of the Ship-money Judges, and of Sir Robert Tresilian and his Complices in the 11 of R. 2. (condemned, executed for Traitors by Judgment in Parliament, for endeavouring to subvert the Laws and Statutes of the Realm by their illegal Opinions, then delivered to King Richard at Nottingham Castle, not out of conspiracy, but for fear of death, and corporall Torments, wherewith they were menaced :) whose offence he makes transcendent to theirs in ^{* six} particulars, as those who please may there read at leisure, being over large to transcribe.

* worth consideration of those of the long robe.

I could here inform you, that the Fundamentall Lawes of our Nation, are the same in the Body Politique of the Realm, as the Arteries, Nerves, Veines, are in, and to the natural Body, the Bark to the Tree; the Foundation to the House: and therefore the cutting of them a sunder, or their Subversion, must of necessity, kill, destroy, disjoyn and ruine the whole Realm at once: Wherefore it must be Treason in the highest degree, But I shall onely subjoyn here some materiall Passages, in Master St. Johns Argument at Law, concerning the Attainder of High Treason of Thomas Earle of Strafford, before a Committee of both Houses of Parliament in Westminster Hall, Aprill 29. 1641. soon after Printed and published by Order of the Commons House: Wherein p. 8. he lays down this Position; recited again, p. 64.

That (Strafford) endeavouring, To subvert the Fundamentall Lawes and Government of England and Ireland, and instead therefore to introduce a Tyranni-

call Government against Law, is Treason by the Common Law. That Treasons at the Common Law are not taken away by the Statutes of 25, E. 3. 1 H. 4. c. 10. 15 Mar. 2. 1. Nor any of them.

The Authorities, Judgements, In and out of Parliament, which he cites to prove it, have been already mentioned, some others he omitted; I shall therefore but transcribe his Reasons to evince it to be Treason, superadded to those alledged by him against the Ship money Judges.

Page 12. It is a War against the King (Let our Military Officers and Souldiers consider it) when intended. For alteration of the Laws or Government in any part of them. This is a levying War against the King (and so Treason within the Statute of 25. E. 3.)

1. Because the King doth maintain and protect the Law in every part of them.

2. Because they are the Kings Laws: He is the Fountain from whence in their severall Channels, they are derived to the Subject. Whence all our indictments run thus: Trepasser laid to be done, Contra pacem Domini Regis, &c. against the Kings peace for exorbitant offences; though not intended against the Kings Person; against the King his Crown and Dignity.

Page 64. In this I shall not labour at all to prove, That the endeavouring by words, Counsels and actions, To subvert the Fundamental Laws and Government of the Kingdom, is Treason at the Common Law. If there be any Common Law Treasons at all life *NOTHING TREASON IF THIS IS NOT, TO MAKE A KINGDOME NO KINGDOME. Take the Policy and Government away, Englands but a piece of earth, wherein so many men have their commerce and abode, without rank or distinction of men, without property in any thing further than in possession; no Law to punish the murdering or robbing one another.

* And how many are guilty of this Treason. See Hof. 3. 4. 5. cap. 10. 3. 4. cap. 1. 4. Zech. 9. v. 5. Hab. 1. 10. 14. 15. Mic. 4. 9. 10. Amos 1.

23, 14, 15. Lam. 5. 16. Ezech. 19. 1. 14. 15. 17. 3. 4. 7. 16. Jer. 17. 25. 27. cap. 18. 7. 8. cap. 22. 3. 10. 13. cap. 25. 8. 10. 38. cap. 51. 20. Proverb 28. 2. Ezech. 17. 14. cap. 19. 14. 25. 1/4. 47. verse 5. Daniel 4. verse 17.

Page 70, 71, 72. The barbarousness of the offence in endeavouring to overthrow the Laws and present Government, which
 'been fully opened before. The Parliament is the representation of the whole Kingdome, wherein the King as
 'Head, your Lordships as the more Noble, and the Commons, the
 'other Members are knit together in one body Politique. This
 'dissolves the Arteries and Ligaments that hold the body
 'dy together, THE LAWS. He that takes away the
 'Laws, takes not away the Allegiance of one Subject only, but of the whole Kingdome. It was made Treason
 'by the Statute of 13 Eliz. for her time to affirm, That
 'the Laws of the Realm do not binde the descent of the Crown.
 'No Law, no descent at all, NO LAWS NO PEER-
 'AGE, no ranks nor degrees of men; the same condition to all. Its Treason to kill a Judge upon the Bench;
 'this kills not Judicem, sed Judicium. There be twelve
 'men, but no Law; never a Judge amongst them. Its
 'Felonie to embezell any one of the Judicall Records of
 'the Kingdome: THIS AT ONCE SWEEPS THEM
 'ALL AWAY and FROM ALL. Its Treason to counter-
 'feit a Twenty shilling peice; Here's a counterfeiting of the Law: we can call neither the counterfeit
 'nor the true Coyn our own. Its Treason to counterfeit the great Seal for an Acre of Land: No property
 'is left hereby to any Land at all: NOTHING TREASON NOW, AGAINST KING OR KING-
 'DOME; NO LAW TO PUNISH IT. Have we not many counterfeit laws and Acts of Parliament of late? and yet some Judges that execute and give them in charge as true ones?
 'My Lords, If the question were asked in Westminster Hall, whether this were a Crime punishable in the
 'Star Chamber, or in THE KINGS BENCH, by
 'Fine or Imprisonment? They would say, It were
 'higher, If whether Felony? They would say, That
 'is an Offence onely against the Life or Goods of some
 'one, or few persons. It would I believe be answered
 'by the JUDGES, as it was by the Chief Justice
 'Thurming, in the 21 R. 2. That though he could not judge
 'the Case TREASON there before him, yet if he were

'were a Peer in Parliament; HE WOULD SO AD-
'JUDGE IT. (And so the Peers did here in *Strafford's*
'and not long after in *Conterburys* case, who both lost
'their Heads on Tower-Hill.)

I have transcribed these Passages of Mr. Oliver's. John
at large for five Reasons.

1. Because they were the Voice and Sense of the whole
House of Commons by his mouth; who afterwards own-
ed and ratified them by their special Order, for their
publication in Print, for information and satisfaction
of the whole Nation, and terrour of all others, who
should after that, either secretly or openly, by fraud or
force, directly or indirectly, attempt the subversion of
all, or any of our *Fundamental Laws* or *Liberties*, or the
alteration of our *Fundamental Government*, or setting up
any Arbitrary or Tyrannical Power, Taxes, Impositions,
or new kinds of arbitrary Judicatories, and imprison-
ments against these our Laws and Liberties.

2. To minde and inform all such who have not only
equalled, but transcended *Strafford* and *Conterbury* in their
their HIGH TREASONS, even since these PUBLICA-
TIONS, SPEECHES, and their EXEMPLARY EXE-
CUTIONS, of the hainousness, in excusableness,
wilfulness, maliciousness, Capitalness of their Crimes;
which not only the whole Parliament in generality,
but many of themselves, in particulars; so severely pro-
secuted, condemned, and inexorably punished of late
years in them: that so they may sadly consider, bewail,
repent, reform them with all speed and diligence, as
much as in them lies. And withall, I shall exhort them
seriously to consider that Gospel terrifying passage, (If
they have not quite sinned away all Conscience, Shame,
Christianity, Religion and Fear of the last Judge, and
Judgement to come) *Rom. 2. 1, 2, 3.* Therefore thou art
inexcusable O man, whosoever thou art that judgest; for
wherein thou judgest another, thou CONDEMNEST
THY SELF, FOR THOU THAT JUDGEST
DOEST THOU THE SAME THING. But we

are sure that the Judgment of God is according to truth; against them who commit such things. And thinkest thou this, O man, that judgest them which do such things; and dost the same, that thou shalt escape the Judgment of God?

3. To exalte all Lawyers (especially such, who of late times have taken upon them the stile & power of Judges) to examine their Consciences, Actions, how far, all or any of them have been guilty, in the highest degree of these Crimes and Treasures, so highly aggravated, so exemplarily punished of former and later times, for corrupt, cowardly time-serving, degenerate Lawyers, and Judges, rather than Judges to the disgrace of their Profession, (now generally spoken against) their own dishonour, infamy, reproach, the scandall of Religion, which some of them have eminently professed: the prejudice and subversion of the Fundamental Laws, Liberties, Rights, Priviledges of our Nation, Peers, Parliament, and of the ancient Fundamental Government of this famous Kingdom, whereof they are Members: and that contrary to some of their own late Judgments, sentences, Consciences, Votes, Prioted Arguments, Speeches, Declarations, against others, even in and out of Parliament: and their own last Charges in their Circuits, repugnant to their last.

4. To instruct those Jesuited Anabaptists, Devellers, and their Factors, (especially John Come, and the rest of the Compilers, Publishers, Abettors of the Pamphlet intitled, *Deutemans Colmel John Lilburn, tried and cast*; and other forementioned publications:) who professedly set themselves by Words, Writings, Counsels and overt Acts to subvert both our old Fundamentall (with all other) Laws, Liberties, Customs, Parliaments, and Government, what transcedent Misdoers, Traitors, and Enemies they are to the publique, and what Capital punishments they may incurre, as well as Henrick, should they be legally prosecuted for the same; and thereupon to advise them timely to repent of, and desist from such high Treasonable attempts.

5. To clear both my self and this my seasonable Defence of our Fundamental Laws, Liberties, Government, from the least suspicion or shadow of Faction, Sedition, Treason and Enmity to the publique peace, weal, settlement of the Nation, which those (and those onely) who are most factious, and seditious, and the greatest Enemies, Traitors to the publique tranquillity, Weal, Laws, Liberties, Government, and establishment of our Kingdome (as the premises evidence) will be ready maliciously to asperse both me and it with, as they have done heretofore some other of my Writings of this Nature, with all which they must first brand Mr. St. John, Mr. Pym, the whole House of Commons, the two last, with all other Parliaments forfeited, and themselves too (from which they are so much changed and degenerated of late years) ere they can accuse, traduce, or censure me; who do but barely relate, apply their words and judgments in their purest times, without malice or partiality, for the whole Kingdome benefit; security, and reestablishment.

To these punctual full Juries of Records and Parliamente Authorities in point, I could accumulate Sr. Edward Cook his 3. Institutes, p. 9. printed and authorised by the House of Commons speciall Order, the last Parliament. The severall Speeches of M. Hide, M. Waller, M. Pierpoint, and M. Hollis, July 6. 1641. at the Lords Bar in Parliament, by Order of the Commons House, at the Impeachment of the Shipmony Judges of High Treason, printed in Diurnal Occurrences, and Speeches in Parliament, London, 1641. p. 227, to 264. M. Samuel Browns Argument at law before the Lords and Commons at Canterburies Attainder, all manifesting, their endeavouring to subvert the Fundamental Laws and Government of the Realm, to be High Treason, with sundry other printed Authorities to prove, That we have * Fundamental Laws, Liberties, Rights; and a Fundamental Government likewise; which ought not to be innovated, violated, or subverted upon any pretences whatsoevert, by any power or prevailing Faction. Which Fundamental Rights, Liberties, Laws, Sr. Thomas Fairfax, and the Army under his

* See Exalt.
Collection, p. 4.
12 243, 262.
321.

Command, by their Declaration of June 14. 1647. particularly promise and engage, to assert & vindicate against all arbitrary power, violence, oppression, and against all particular parties or Interests whatsoever, which they may doe well to remember and make good. But to avoid prolixity (the double *Jury* of Irrefragable and punctually authorities already produced being sufficient to satisfy the most obstinate opposites formerly contradicting it) I shall onely adde three swaying authorities more, where-with I shall conclude this point.

The first, is a very late one, in a Treatise, intituled, *A* *surely there*
** True State of the Common Wealth of England, Scotland; are sundry fall-*
and Ireland, and the Dominions thereunto belonging; hoods in it, as
in Reference to the late established Government by a well as some
Lord Protector and a PARLIAMENT. It being the truths.
*Judgement of DIVERSE PERSONS, who through- * If we believe*
** Out these late troubles, have approved themselves themselves in*
** Faithfull to the Cause and Interest of God, and their their own cases*
** COUNTRY: presented to the Publike, for the satis-*
** faction of others. Printed at London, 1654. who re-*
lating the miscarriage of the late ASSEMBLY at West-
minster (Elected, nominated by the Censurers of them, the
Army Officers onely; not the people) use these ex-
pressions of them, page 13, 14, 16, 17, 21, 22. But on
** the contrary, it so fell out in a short time, that there*
** appeared many in this Assembly of very contrary*
** principles to the interest aforesaid, which led them*
** violently on to attempt and promote many things, the*
** consequence whereof would have been, A subverting of*
the Fundamentall Laws of the Land, the Destruction of
Property, and an utter extinguishment of the Gospel.
In truth their Principles led them TO A PULLING
DOWN ALL AND ESTABLISHING NOTHING.
** So that instead of the expected settlement, they were*
** running into FURTHER ANARCHY AND CON-*
** FUSION. As to the Laws and Civil Rights of the Na-*
** tion, nothing would serve them, but a TOTALL*
ERADICATION OF THE OLD,
AND INTRODUCTION OF A NEW:
and

* Some mens
all ons since,
declare they
had some other
ground and
ayms than this.

* Those who s-
were and dis-
joyned one house
from the other;
and by force &
armed power
seclude, exclude
and disjoyn the
members of the
same House from
another,
so many times
one after ano-
ther, & justi-
fie it too, are
the greatest dis-
joyners of the
House and Par-
liament, and
very unlikely to
make any firm
or reall settle-
ment of this
Nation.

* See my Speech
in Parliament
p. 100. to 108.

and for the good Old Laws of England (the Guardians of our
Laws and Fortunes) established with prudence, and con-
firmed by the experience of many Ages and Genera-
tions: (The Preservation whereof, was a* principall ground
of our late quarrell with the King) having been once abo-
lished, what could we have expected afterwards, but an
inthrowing of Arbitrary power in the Seat of Judicature,
and an exposing of our Lives, our Estates, our Liber-
ties, and all that is dear unto us, as a Sacrifice to the
boundlesse appetite of meer Will and Power, &c.

Things being at this passe, and the House (through
these proceedings) * perfectly disjointed, it was in-
vain to look for a settlement of this Nation from them,
thus constituted: but on the contrary, nothing else
could be expected; But that the Common-wealth
should sink under their hands, and the great cause
hitherto so happily upheld and maintained, to be for-
ever lost; through their preposterous management of
these affairs, wherewith they had been intrusted.
Whereupon they justifie their dissolution, and turning
them forcibly out of doores by the Soldiers, with shame
and infamy; to prevent that destruction, which there-
by was coming on THE WHOLE LAND, by this
New Powder Treason plot, set on foot by the Jesuites and
Anabaptists, to destroy our Laws, Liberties, Properties,
Winners, and Religion it self, at one blow, and
that in the very Parliament House, (where some de-
stroyed and blowed up Kings, Peers and Parliaments
themselves, as well as Lawes and Parllament Privi-
leges of late years) where they had been constantly
defended, vindicated, preserved, established in all for-
mer Ages, by ALL TRUE ENGLISH PARLIA-
MENTS.

The second is, * The Votes of the House of Commons,
concerning a Paper presented to them, entituled, An
Agreement of the people for a firm & present peace, upon grounds
of Common Right, 9. November 1647, viz.

REPRODUCTION OF THE OLD
NEW TO NOTION OF THE
Resolved

Resolved upon the Question, That the matters contained in these Papers, are destructive to the being of Parliaments, and to the fundamental Government of this Kingdom.

Resolved, &c. That a Letter be sent to the General, and those Papers inclosed, together with the Vote of this House upon them; And that he be desired to examine the proceedings of this business in the Army (where it was first copyed) and return an Account hereof to this House.

These Votes were seconded soon after with these ensuing Votes, entered in the *Commons Journal*, and printed by their *special Order*; 23 Novemb. 1647.

A *Petition* directed to the Supreme Authority of England, The *Commons in Parliament assembled*, The humble *Petition of many Free-born people of Eng^d and, &c.* was read the first and second time.

Resolved upon the Question, That this Petition is, A seditious and contemptuous avowing, and prosecution of a former Petition, and Paper annexed, stiled, An agreement of the People, formerly adjudged by this House, to be destructive to the being of Parliaments, and Fundamental Government of the Kingdom.

Resolved, &c. That Thomas Prince Cheese-monger, and Samuel Chidley, bee forthwith committed Prisoners to the Prison of the Gate-house, there to remain Prisoners during the pleasure of this House, for a Seditious avowing, and prosecution of a former Petition and Paper annexed, stiled, An Agreement of the people; formerly adjudged by this House, to be destructive to the being of Parliaments, and fundamental Government of the Kingdom.

Resolved, &c. That Jeremy Ives, Thomas Taylor, and William Larnar, bee forthwith committed to the Prison of Newgate, there to remain Prisoners during the pleasure of this House, for a seditious and contemptuous avowing, and prosecution of a former Petition and Paper annexed, stiled, An Agreement of the People; formerly adjudged by this House, to be destructive to the being of Parliaments, and fundamental Government of the Kingdom.

Resolved, &c. That a Letter be prepared and sent to the
I
General,

General; taking notice of his proceeding in the execution (according to the Rules of *Warre*) of a *Mutinous* person (avowing, and prosecuting this Agreement in the Army contrary to these Votes) at the Rendezvous near *Ware*, and to give him thanks for it; and to desire him to prosecute that *Business* to the bottom, and to bring such guilty persons as he shall think fit, to condign and exemplary punishment.

Resolved, &c. That the Votes upon the Petition and Agreement annexed, and likewise the Votes upon his Petition, be forth-with printed and published.

After which, by a *special Ordinance* of both Houses of Parliament, 17 Decemb. 1647. no person whatsoever, who had contrived, plotted, prosecuted, or entred into that Engagement, intitled, The Agreement of the people, declared *To bee destructive to the being of Parliaments, and Fundamental Government of the Kingdom*; for one whole year was to be elected, chosen, or put into the Office, or place of Lord Mayor, or Alderman, Sheriff, Deputy of a Ward, or Common Councilman of the City of London, or to have a voice in the Election of any such Officers.

All these particulars, with the Capital proceedings against *Whits*, and others who fomented this Agreement in the Army, abundantly evidence the verity of my foresaid Proposition, and the extraordinary guilt of those Members and Souldiers, who contrary to their own Votes, Ordinances, Proceedings, and Censures of others, have since prosecuted this, the like, or far worse Agreement, to the destruction of our ancient Parliaments, and their Priviledges, and of the fundamental Government, Laws, and Liberty of our Nation: which I wish they would now sadly lay to heart, with that saying of *Augustine*, approved by all sorts of Divines, and (a) *Caluists*; *Non remittitur peccatum, nisi restituatur ablatum, & sciendum est, Quod Restitutio est IN PRISTINUM STATUM POSITIO.*

The third, is the memorable Statutes of 3 *Jacobi*, c. 1, 2, 4 & 5, which relating the old Gunpowder Treason of the Jesuits and Papists, and their infernal, inhuman, barbarous, detestable plot, to blow up the King, Queen, Prince, Lords, Commons, and the whole House of Peers with Gunpowder, when

(a) See *Gratian*, *Caus. 2.*

Qu. 1. 2.

Summa Angelica, *Rosella*, & *Hofiensis*, *Tit. Restitutio.*

they should have been assembled in Parliament, in the upper House of Parliament, upon the fifth of November, in the year of our Lord, 1605. do aggravate the hainousness and transcendency thereof, by this circumstance, That it was (as some of the principal Conspirators confessed) purposely devised and concluded to be done in the said House, That where sundry necessary and religious Laws, for preservation of the Church and State, were made, (which they falsely and slanderously termed, *Cruel Laws enacted against them, and their Religion*) both Place and Persons should be all destroyed and blown up at once; and by these dangerous Consequences, if it had not been miraculously prevented, but taken effect; That it would have turned to the utter ruine, overthrow, and subversion of the whole State and Common-wealth of this flourishing and renowned Kingdom, of Gods true Religion therein established by Law, and of our Laws and Government. For which horrid Treason, they were all attainted, and then executed as Traytors, and some of their Heads, Quarters, set upon the Parliament House for terror of others. Even so let all other Traytors, Conspirators against, all Blowers up, and subverters of our fundamental Laws, Liberties, Government, Kings, Parliaments, and Religion, treading presumptuously in their Jesuitical footsteps, perish, O Lord,* but let all them who cordially love, and strenuously maintain them against all Conspirators, Traytors, Underminers, Invaders whatsoever, be as the Sun when he goeth forth in his might; That the Land may have rest, peace, settlement again, for as many years at least, as it had before our late Innovations, Warres, Confusions, by their restitution and re-establishment.

* See Speeds
Hist. p. 1250.
&c Mr. Vissers
History of the
Gunpowder-
Treason, The
Arraignement
of Traytors.
* Judg. 5. 24

C H A P. 2.

HAVING thus sufficiently proved, That the Kingdom, and Freemen of England, have some antient Hereditary Rights, Liberties, Franchises, Privileges, Customs, properly called FUNDAMENTAL, as likewise a Fundamental Government, no ways to be altered, undermined, subverted, directly or indirectly, under the guilt and pain of High Treason in

those who attempt it, especially by fraud, force, or armed Power.

I shall in the second place present you in brief Propositions, a Summary of the chiefest and most considerable of them, which our prudent Ancestors in former Ages, and our latest real Parliaments, have both declared to be, and eagerly contested for, as *fundamental*, and essential to their very being, and well being, as a *Free People, Kingdom, Republick*, unwilling to be enslaved under any *Tokes* of Tyranny, or Arbitrary Power: that so the whole Nation may the more perspicuously know and discern them, the more strenuously contend for them, the more vigilantly watch against their violations, underminings in any kinde, by any Powers or pretences whatsoever, and transmit, perpetuate them intirely to their Posterities, as their best and chiefest inheritance.

I shall comprise the *sum* and substance of them all in these *Ten Propositions*, beginning with the Subjects Property, which hath been most frequently, universally invaded, assaulted, undermined by our Kings, and their evil Instruments heretofore, and others since, and thereupon more strenuously, frequently, vigilantly maintained, fenced, regained, retained by our Nobles, Parliaments, and the people in all Ages (till of late years) than any or all of the rest put together, though every of them hath been constantly defended, maintained, when impugned, or incroached upon, by our Ancestors, and our selves.

* See the Laws of King Edward the Confessor, confirmed by William the Conquerour, Lxx. 55. 56. 57. The great Charters of King John, and Henry 3. c. 29;

30. 25 E. 1. c. 5, 6. 34 E. 1. De Tallagio. c. 1. 14 E. 3. Stat. 1. c. 21. Stat. 3. c. 1. 35 E. 3. Stat. 2. c. 1. 15 E. 3. Stat. 3. c. 5. 21 E. 1. Rot. Parl. N. 16. 11 E. 3. Rot. Parl. N. 16. 27 E. 3. Stat. 2. c. 1. 36 E. 3. Rot. Parl. N. 26. 38 E. 3. c. 2. 45 E. 3. Rot. Parl. N. 42. 11 H. 4. Rot. Parl. N. 50. 1 R. 3. c. 1. The Petition of Right, 3 *Caroli*, the Act against Ship-money, Knighthood, Tonnage, and Poundage, 16 & 17. *Caroli*.

lawful.

lawful English Parliament duly summoned and elected; except only such ancient, legal Aids, as they are specially obliged to render by their Tenures, Charters, Contracts, and the common Law of England.

2 That no Free-man of England ought to bee arrested, confined, imprisoned, or in any private Castles, or remote unusual Prisons, under Souldiers, or other Guardians, but only in usual or Common Gaols, under sworn responsible Goalers, in the County where he lives, or is apprehended, and where his friends may freely visit and releve him with necessities; And that only for some just and legal Cause express'd in the Writ, Warrant, or Process, by which he is arrested or imprisoned; which ought to be legally executed, by known, legal, responsible sworn Officers of Justice, not unknown Military Officers, Troopers, or other illegal Catchpolls; That no such Free-man ought to bee denied Bail, Mainprise, or the benefit of an *Habeas Corpus*, or any other Legal Writ for his enlargement, when Bailable or Mainprizable by Law; nor to be detained Prisoner for any real or pretended Crime, nor bailable by Law longer than until the next general or special Gaol-delivery, held in the County where he is imprisoned; when and where he ought to be legally tried and proceeded against, or else enlarged by the Justices, without denial or delay of Right and Justice. And that no such Free-man may, or ought to be out-lawed, exiled, condemned to any kinde of Corporal punishment, loss of Life or Member, or otherwise destroyed or passed upon, but only by due and lawful Process, Indictment, and the lawful Trial, Verdict, and Judgement of his Peers, according to the good old Law of the Land, in some usual Court of publick Justice; not by and in new, illegal Military, or other Arbitrary Judicatories, Committees, or Courts of High Justice, unknown to our Ancestors.

3 That the ordinary Standing Militia, Forces, and Arms of the Kingdom, ought to reside in the Nobility, Gentry, Freeholders, and Trained Bands of the Kingdom, not in Mercenary Officers, and Souldiers, receiving pay, and Contributions from the people; more apt to oppress, enslave, betray, than protect their Laws, Liberties, and to protract than end their Warrs and Taxes. That no Free-men of England, unless it bee by

* See Magna Charta, c. 29. & Cooks Institutions on it.
5 E. 3. c. 9
15 E. 3. c. 1, 2
25 E. 3. c. 4
28 E. 3. c. 3
37 E. 3. c. 18
41 E. 3. c. 3
2 R. 2. c. 4
5 H. 4. c. 10
19 H. 7. c. 10
23 H. 8. c. 8
The Petition of Right, 3 Car. 1, and other Acts in ch. 3. 2 H. 4.
Rot. Parl. N. 66. & 69.
* 4 E. 3. c. 4
17 R. 2. c. 10

* See the Laws of Edward the Confessor, and William the Conqueror, Lex 3. 55, 56, 58. *Regali Arbitrage*. Tit. A. mon. 35. E. 3. c. 4.
Rot. Parl. N. 23. The Statutes for impressing Souldiers, 16 & 17. Special *caroli*.

2 E. 3. Stat. 2.
c. 5. 4 H. 4.
c. 13. Exa^{et}
collection,
p. 878, 879.

special Grant and Act of Parliament, may or ought to be compelled, enforced, pressed, or arrayed to go forth of his own County (much less out of the Realm into foreign parts) against his will, in times of Warre or Peace; or except he be specially obliged thereto by antient Tenures and Charters, save only upon the sudden coming of strange enemies into the Realm; and then he is to array himself only in such sort, as he is bound to do by the ancient Laws and Customs of the Kingdom still in force.

(a) See *Magna Charta*. c. 29.

5 E. 3. c. 2.

15 E. 3. c. 12.

21 E. 3. Rot.

Parl. N. 28.

14 E. 3. N. 35.

26. 27. 28 E. 3.

c. 4 Rot. Parl.

N. 16. 28 E. 3.

c. 3. 17 E. 3.

c. 18. 42 E. 3.

c. 13. 2 R. 2.

Parl. 2. c. 2.

7 R. 3. c. 4.

2 H. 4. Rot. Parl.

N. 60. 69.

15 H. 6. c. 4.

The Petition

of Right,

3 Car. and the

Statutes against

Ship-money,

Knighthood,

Tonnage and

Poundage, 16

& 17 Caroli.

(b) See 1 Sam.

7. 4. 10 the

end. c. 11. 14.

15. c. 12. 1. 2 Sam. 9. 1. 2. 3. c. 16. 18. 1 King. 12. 3. to 21. c. 16. 18. c. 20. 7. 8.

2 King. 11. 1. 10. 21. c. 11. 14. c. 23. 30. (c) King John's Magna Charta, Math. Paris,

p. 247. 5 R. 2. c. 4. Coke 4. Instit. c. 1. My Plea for the Lords, My *Adus Regni*, The

Levellers levelled, and Epistle before my Speech in Parliament. 4 E. 3. c. 14. 36 E. 3.

c. 10. 30 E. 3. N. 151. 1 R. 2. N. 95. 2 R. 2. N. 4. 5.

4 That no (a) Free-man of *England* may, or ought to be disinherited, disseised, dispossessed, or deprived of any Inheritance, Free-hold, Office, Liberty, Custom, Franchise, Chartres, Goods, whatsoever, without his own Gift, Grant, or free Consent, unless it be by lawful Process, Trial, and Judgement of his Peers, or special Grant by Act of Parliament; nor to be denied or delayed common Right or Justice in any case.

5 That the old received Government, Laws, Statutes, Customs, Priviledges, Courts of Justice, legal Processes of the Kingdom, and Crown, ought not to be altered, repealed, suppressed in any sort; nor any new form of Government, Law, Statute, Ordinance, Court of Judicature, Writs, or legal proceedings, instituted, or imposed on all, or any of the Free-men of *England*, by any person or persons, but only in and by the (b) *Kingdoms, peoples free and full precedent consent in a lawful Parliament*, wherein the Legislative power solely resides.

6 That Parliaments ought to be duly summoned, and held, for the good and safety of the Kingdom, every year, or every three years at least, or so soon as there is just occasion. That the Election of all Knights, Citizens, and Burgeses, to sit and serve in Parliament (and so of all other Elective Officers) ought to be free. That (c) all Members of Parliament Hereditary or Elective, ought to be present, and there freely to speak and vote

according

according to their Judgements and Consciences, without any over-awing Guards to terrifie them; and none to be forced, sequestered, or secluded thence by force or fraud. That all Parliaments nor thus duly and freely summoned, elected, freely held, but unduly packed, without due Elections, or by forcible secluding, securing any of the Members, or not summoning all of them to the Parliament, and all Acts of Parliament fraudulently, or forcibly procured by indirect means (d), ought to be nullified, repealed, reputed voyd, and of dangerous president.

(d) See 39 H. 6.

c. 11. 17. E. 4.

c. 7. 1 H. 4.

N. 21, 22. 48.

1 H. 4. c. 3.

* See *Rossals*

Abridgement

of Statutes,

Title, *Provisions*

Præmissis, &c.

Romer.

(e) *Leges Ed-*

wardi Regis,

c. 35. *Lam-*

bards Arch.

R. 135, 136.

Cook 7. *Re-*

port, *Calvins*

Case, l. 6, 7.

Leger Willielm

Regis Lex. 58,

59. *Seldens*

Note ad Ead-

7 That neither the * *Kings*, nor any Subjects of the Kingdom of England, may or ought to be summoned before any Forreign Powers or Jurisdictions whatsoever out of the Realm, or within the same, for any manner of Right, Inheritance, Thing belonging to them, or Offence done by them within the Realm, nor tried, nor judged by them.

8 That all Subjects of the Realm are (e) obliged by Allegiance, Oaths, and duty to defend their lawful Kings Persons, Crowns, the Laws, Rights, and Priviledges of the Realm, and of Parliament, against all Usurpers, Traytors, Violence, and Conspiracies. And that no Subject of this Realm, who according to his Duty, and Allegiance, shall serve his King in his Warres, for the just defence of him and the Land, against Forreign Enemies or Rebels, shall lose or forfeit any thing for doing his true duty, service, and allegiance to him therein, but utterly be discharged of all vexation, trouble, or losse.

Writon, pl. 291. 11 H. 7. c. 1. 18. 19, H. 7. c. 1. 25 H. 8. c. 22. 26 H. 8. c. 3. 28 H. 8. c. 7. 1 Eliz. c. 1. 2. 5. 3 Eliz. 2. c. 1. 4 Jac. 2. 1. 2. 3 Jac. c. 1. 2. 4. 5. 7 Jac. c. 6. The Protestation, League and Covenant, and the ancient Oathes of Fealty, Homage, Mayors, Sheriffs, Free-men.

9 That no publick Warre by Land or Sea ought to be made or leavied, with, or against any Forreign Nation: nor any publick Truce or League entered into with Forreign Realms or States, to binde the Nation, without their common advice and consent in Parliament.

10 That the Kings of England, or others, cannot grant away, alien, or subject the Crown, Kingdom, or antient-Crown Lands of England to any other, without their Nobles and Kingdoms full and

free

free consent in Parliament. That the antient Honours, Manors, Lands, Rents, Revenues, Inheritances, Rights, and Perquisites of the Crown of England, originally settled thereon for the ease and exemption of the people from all kind of Taxes, payments whatsoever (unless in case of extraordinary necessity) and for defraying all the constant, ordinary expences of the Kingdom (as the expences of the Kings household, Court, Officers, Judges, Ambassadors, Guard, Garrisons, Navy and the like) ought not to be sold, alienated, given away or granted from it, to the prejudice of the Crown, and burdening of the people. And that all Sales, Alienations, Gifts, or Grants thereof, to the impairing of the publique Revenue, or prejudice of the Crown and people, are void in Law, and ought to be resumed, and repealed by our Parliaments and Kings, as they have frequently been in all former ages.

* Daniels History p. 78 79.
80. 127. 10. 12n.
2. r. 8. H. 5. r. 9.
1. 1. 6. n. 57. 31.
H. 6. r. 7. 1. R. 2.
n. 14. 9. 1. H. 4. n.
100. 6. H. 4. n. 4.
15. 8. H. 4. n. 12.
33. H. 6. n. 47.
4. G. n. 39. 12.
E. 4. n. 6.

For the Readers fuller satisfaction in each of these propositions (some of which I must in the ensuing Chapter but briefly touch for brevity sake, having elsewhere fully debated them in print,) I shall especially recommend unto him the perusal of such Tractates, and Arguments formerly published, wherein each of them hath been fully discussed, which he may peruse at his best leisure.

The First of these Fundamentals, (which I intend principally to insist on) is fully asserted, debated, confirmed by 13. H. 4. f. 14. By *Fortescue* Lord Chief Justice, and Chancellor of England, *de Laudibus Legum Anglie*, dedicated by him to King Henry the 6. f. 25. c. 36. By a Learned and necessary Argument against Impositions in the Parliament of 7. Jacobi: by a late reverend Judge, Printed at London 1641. By Mr. William Hakewell, in his Liberty of the Subject against Impositions, maintained in an Argument in the Parliament of 7. Jacobi, Printed at London 1641. By Judge Crooke and Judge Huttons, Arguments concerning Ship-money, both Printed at London 1641. By the Case of Ship-money briefly discussed. London 1640. By M. St. Johns Argument and Speech against Ship-money, Printed at London 1641. By Sir Edward Cook in his 2 Institutions p. 46. and 57. to 64. and 528. to 537. By the first and second Remonstrance of the Lords & Commons in Parliament against

against the Commission of Array. Exact Collection p. 386. to 398. and 850. to 890. and by my own *Humble Remonstrance against Ship-mony*, London 1643. The Fourth part of the *Sovereign Power of Parliaments and Kingdomes*, p. 14. to 26. my *Legal Vindication of the Liberties of England against Illegal Taxes* &c. London 1649. and by the Records and Statutes cited in the ensuing Chapter, referring for the most part to the first Proposition.

The second, third, and fourth of them, are largely debated and confirmed by a Conference desired by the Lords, and had by a Committee of both Houses, concerning the Rights and Privileges of the Subject, 3 Aprilis 4 Caroli. Printed at London 1642. By Sir Edward Cook in his *Institutes on Magna charta*, c. 29. p. 45. to 57. By the first & second Remonstrance of the Lords and Commons against the Commission of Array, Exact Collection p. 386. and 850. to 890. By Judge Crooke, and Judge Huttons Arguments against Ship-mony. By Sir Robert Cotton his Posthuma p. 242. to 269. By my Breviate of the Prelates Encroachments on the Kings Prerogative, and the Subjects Liberties, p. 138. my *New Discovery of the Prelates Tyranny*, p. 137. to 183. and some of the ensuing Statutes, and records, ch. 3. Sec 1 H. 4. rot Parl. n. 22, 23, 24, 26, 28, 43, 44, 47.

The Fifth and Sixt of them, are fully cleared, vindicated in and by the Prologues of all our Councils, Statutes, Laws, before and since the Conquest. By 1. H. 4. Rot. Parl. n. 33, 34, 36. (an excellent full president.) Sir Edward Cooks 4 *Institutes*, ch. 1. Mr. Cromptons *Jurisdiction of Courts*, Title High Court of Parliament. Mr. Sr. Johns speech against the Ship-mony Judges, p. 32, 33. my *Plea for the Lords*; my *Levellers levelled*; my *Ardua Regni*; my Epistle before my Speech in Parliament; my *Admonitions*, my *Sovereign Power of Parliaments and Kingdomes*, part. 1, 2, 3, 4. my *Legal Vindication against illegal Taxes, and pretended Acts of Parliament*, London 1649. Printed the Member; reconciled to Prymme the Barrister, Printed the same year. My *Historical Collection of the Ancient great Councils and Parliaments of England*, London 1649. My *Truth triumphing over Falshood, Antiquity*

over Novelty, London 1645. 3 E. 1. c. 5, 4 E. 3. c. 14, 36 E. 3. c. 10. 1 H. 4. c. 3, 4, 5 R. 2. Stat. 2. c. 4. *Rastal tit. Parliament.* 1 H. 4. Rot. Parl. n. 21. 22. 48. 70. 31 H. 6. c. 1. 39 H. 6. c. 1. Rot. Parl. n. 8. 17 E. 4. c. 7. expresse in point, and some of the Records hereafter transcribed. In this I shall be more sparing, because so fully confirmed in these and other Treatises.

The *Seventh*, is ratified by Sir Edward Cooks 1. *Institutes* p. 97. 98. 4 *Institutes* p. 89. and 5. report *Cowdries* case, of the Kings *Ecclesiasticall Laws*, *Rastals* Abridgement of Statutes, *Tit, Provissors, Præmunire, Rome*, and other Records and Statutes in the ensuing Chapter.

The *Eighth*, is verified by the Statutes quoted in the Margin to it, and by other Records in the third Chapter.

The *Ninth* and *Tenth*, are fully debated in my *Sovereign Power of Parliaments and Kingdoms*, par. 2. p. 3. to 34. part. 4. p. 1. to 13. and 162. to 170. touched in Sir Robert *Cottons Posthuma*, p. 174. 179. confirmed by *sundry Presidents* in the next Chapter. & by 1 H. 4. Rot. Parl. n. 32.

How all and every of these *Fundamentall Liberties, Rights, Franchises, Laws*, have been unparalledly violated, subverted, in all and every particular, of late years, beyond all Presidents in the worst offformer ages, even by their greatest pretended *Pro-pugners*, their own Printed *Edicts, Instruments, Ordinances, Papers*, together with their illegall *Oppressions, Taxes, Excises, Imposts, Sequestrations, Rapines, Violences*, unjust *Proceedings* of all kinds, will sufficiently evidence, if compared with the premised *Propositions*. Not to insist on any fore-past illegall *Imposts, Taxes, Excises*, under which the nation lately groaned, imposed on us by *unparliamentary Junctoes*, or the *Army Officers* alone from Anno 1648 to 1653. without any real Parliament, by their own *armed Jurisdiction*. I shall here instance onyl in 3. or 4. particulars, relating wholly to the *First Proposition*, being of most generall, greatest present and future concernment of all other to the *whole English Nation*, at this very instant most intollerably oppressed, grieved by them; directly sweeping away all their *Fundamentall Right of Property*, and consequentially all their *Liberty of person, Laws, Charters*, at once, and that in *perpetuity*, beyond all hopes of *Future redemption*, if not timely

timely prevented by the *Universality, Body of the Realm, or their Trustees.*

The first of them is, the present imposition, and continuance of the strange, oppressive, monstrous, general high *Tax of EXCISE*, imposed on most native and foreign Commodities throughout *England*, and its *Dominions*; which as it was a *meer Stranger* to all our *Ancestors*, and those now living, till within these few years; so it was no sooner projected by some evil *Malignant Jesuited Counsellors* about the late *King*, but it was (a) presently condemned, and crushed in the very shell, when first intended to be set on foot in *England* by *King Charles*, (with the advise and consent of his privie Council at *White-Hall*) by a *Commission* under the *Great Seal of England*, dated the last of *February*, 3 *Caroli*, issued to thirty three *Lords of his Majesties Privie Council* and others: which authorized, and commanded them to raise monies BY IMPOSITIONS OR OTHERWISE, as they in their wisdoms should finde most convenient; and that only for these publike uses, THE DEFENCE OF THE KING, KINGDOM, PEOPLE, and of the Kings Friends and Allies beyond the Seas, then in such imminent danger, that WITHOUT EXTREAMEST HAZARD OF THE KING, KINGDOM, PEOPLE, KINGS Friends and Allies, it could admit of no longer delay. In which INEVITABLE NECESSITY, form and circumstance must rather be dispenced with than the substance left. The Commissioners being thereupon specially injoynd, to be diligent in the Service, and not fail therein, as they tender his Majesties Honour, and THE SAFETTY OF THE KING and PEOPLE. This Commission was no sooner discovered, but it was presently complained of by the whole *Commons House*, in the *Parliament*, of 3 *Caroli*, and upon Conference with the *Lords* it was immediately Voted, adjudged by both Houses, without one dissenting voyce, TO BEE (EX DIAMETHRO) AGAINST LAW, and CONTRARY TO THE PETITION OF RIGHT, after which, it was cancelled as such in the Kings own presence, by his consent, order, and then sent cancelled to both Houses, for their satisfaction, before ever it was put in execution, and all

(a) See my Declaration and Protestation against the illegal, detestable, oppressive, new Tax, and Extortion of Excise, 1694. Exact collection, p. 885. Mr. St. Johns Speech concerning Ship-money, p. 15, 16.

WARRANTS for, and memorials of it cancelled, damned, destroyed; the Commons further urging, That the Projector thereof might be found out by strict inquiry, and EXEMPLARILY PUNISHED (as the Parliament Journal attests) notwithstanding all the specious pretences, of inevitable necessity, imminent danger, and the defence, safety of the whole Kingdom, People, King, and his forreign Protestants Friends and Allies (then in greater real danger, than any now appearing) This Original Parliamentary Doom, Judgement against that New Monster of Exeise, was ratified, approved, pressed by both Houses of Parliament, in the Cases of Ship-money, and the Commission of Array, as you may read at large in Mr. Oliver St. Johns Speech and Declaration, delivered at a Conference of both Houses concerning Ship-money, 14 January, 1640. (printed by the Commons Order) p. 13. to 20. and, The Lords and Commons second Declaration against the Commission of Array. Exact collection, p. 884, 885. from which they then drew this positive conclusion (fit to be now considered by our New Governours, and the whole Nation) * THAT TO DEFEND THE KINGDOM IN TIME OF IMMINENT DANGER, IS NO SUFFICIENT CAUSE (for the King and his Council, much less then for those who condemned, suppressed them for Tyrants, and Oppressors of the People) TO LAY ANY TAX OR CHARGE UPON THE SUBJECTS WITHOUT THEIR CONSENT IN PARLIAMENT. Yes the whole House of Commons was so zealous against this *Dutch Devil of Exeise*, that in their Remonstrance of the state of the Kingdom, 15 Decemb, 1641. Exact Collection, p. 3, 4, 6. they expressly brand, censure, the first Attempts to introduce it, for A MALIGNANT and PERNICIOUS DESIGN, TO SUBVERT THE FUNDAMENTAL LAWS and PRINCIPLES OF GOVERNMENT, upon which the JUSTICE OF THIS KINGDOM WAS FORMERLY ESTABLISHED; as proceeding from JESUITED COUNSELS, BEING MOST ACTIVE and PREVAILING; yet, for AN UNJUST and PERNICIOUS ATTEMPT, TO EXTORT GREAT PAYMENTS FROM THE SUBJECTS. *Which was to be*

* Exact Collection, p. 886.

Nota.

Nota:

account

accompanied (as now it is) with Billited Souldiers in all parts of the Kingdom, and the concomitant of German (as now of English) HORSE, That the * LAND MIGHT EL-
 THER, SUBJECT WITH FEAR, or BE ENFORCED WITH RIGOUR TO SUCH ARBITRARY CON-
 TRIBUTIONS AS SHOULD BE REQUIRED OF THEM. And when some rumours were first spread abroad, that the COMMONS HOUSE INTENDED TO LAY EX-
 CISE UPON PEWTER AND OTHER COMMO-
 DITIES; they were so sensible of the injustice and odiousness thereof, that they thereupon published a special Declaration, printed 8 Octob. 1642. Exact Collection, p. 638. wherein they not only disclaim, renounce any such intention, but branded those Reports and Rumours, for FALSE and SCANDALOUS ASPERSIONS, raised and cast upon the House BY MALIGNANT and ILL-AFFECTED PERSONS, TENDING MUCH TO THE DISSERVICE OF THE PARLIAMENT: and Ordered, That the AVTHORS OF THEM should be inquired after, apprehended, and brought to the House TO RECEIVE CONDIGN PUNISHMENT. After which this Excise being notwithstanding this Disclaimer, and much publick, private opposition against it, set on foot by some swaying Members (upon a pretence of necessity for support of the Army) to the great Oppression, and Discontent of the People; The Generall and general Council of Officers and Souldiers of THE ARMY themselves, were so sensible of this illegal oft-condemned New grievance, that in the Heads of their Proposals, and particulars of their Desires, in order to the clearing and securing of the Rights and Liberties of the Kingdom, tendered to the Commissioners of Parliament residing with the Army, the first of August, 1647. (printed in their Book of Declarations, p. 118. &c. published by their own, and the Lords House special Order) they made this one principall Desire to the Parliament; That the EX-
 CISE may be taken off from such Commodities, whereof the poor of the Land do ordinarily * live, and A CERTAIN TIME TO BE LIMITED FOR TAKING OFF THE WHOLE. Yet notwithstanding all these Judgements and Out-

* And is not this its present sad slavish condition?

Nota.

* Do they not so on Beer, Salt, and ocher Manufactures, for which they now pay Excise?

cries against it; some of those very persons who thus publicly branded it, both in the *Parliament House* and *Army*; by irregular paper *Ordinances* (as they intitle them) dated 24 December, 1653. March 17. 1653. and May 4. 1654. have by their own *Self-derived* supertranscendent *Authority*, without, yea against the Peoples consents, or any Authority from Parliament, imposed, continued *Excise upon our own Inland, and Ferreign Commodities*, in very high proportions, from the twenty fourth of March 1654. till the twenty fourth of March 1655. And (which is most observable) prescribed it to bee levied, by putting the Parties to an (*EX OFFICIO*) OATH against themselves; by *Fines, Forfeitures, SEQUESTERATIONS, and SALES OF THE REFUSERS, OPPOSERS, PERSONAL and REAL ESTATES, DISSTRESSES, BREAKING UP OF THE PARTIES HOUSES, SEISURES OF THEIR GOODS, IMPRISONMENT OF THE PERSONS OF ALL SUCH WHO SHALL HINDER OR OPPOSE THE MINISTERS, OR OFFICERS EMPLOYED IN LEVYING, or distraining for the same, BY LOCKING UP THE DOORS, or OTHERWISE.* And by these their unparalleled *Edicts* they further order, *That the Officers of Excise, BOTH DAY AND NIGHT, shall be permitted free entrance into ALL ROOMES and PLACES WHATSOEVER THEY SHALL DEMAND, in Brewers, Sope-boylers, and others Houses, under pain of forfeiture of fifty pounds for every refusal* (by colour whereof all mens Houses may be robbed, plundered, and their throats cut by Theeves and Robbers, pretending themselves *Excise-men, Souldiers*, authorised to make such Searches, as many of late have been.) *And they with all their assistants shall bee kept indemnified in ALL CAUSES RELATING TO THE EXCISE, from time to time, against all Sutes or Actions brought, or other molestations, against them by the Parties grieved; who are usually Fined, Imprisoned, enforced to pay Costs of Sute, only for suing for relief*) yea (which I cannot think of without horrour and amazement) ALL COURTS

* Witness Mr.
Cony amongst
others.

Nota.

COURTS OF JUSTICE OF THIS COMMON-WEALTH, and ALL JUDGES and JUSTICES OF THE SAME, SHERIFS, COVNSELLORS, ATTURNIES, SOLICITORS, and ALL OTHER PERSONS, are thereby expressly required, to conform themselves accordingly, (in all things) WITHOUT ANY OPPOSITION OR DISPUTE WHATSOEVER; as the precise words of their Ordinance of 17 March, 1653. proclaim to all the Nation. Which declares further, *That IT IS NECESSARY to provide A CONTINUAL SUPPLY for the carrying on the weighty Affairs of this Common-wealth* OUT OF THIS REVENUE OF EXCISE. And do not these Clauses. (compared with the 27. & 29. Articles of their Instrument,) clearly discover, a fixed Resolution in these new Legislators, to continue, and perpetuate upon the whole Nation, this importable Grievance of Excise, from year to year, without intermission or end, to be leaved by the means aforesaid? to hinder all and every the *Freemen of England*, from endeavouring to free or exempt themselves, or their Posterities from it hereafter, by any *Sue, Action, Habeas Corpus, or other legal remedy in any Court of Justice whatsoever?* yea peremptorily, positively to prohibit, enjoin all Courts of Justice, Judges, Justices, Sheriffs, Counsellours, Attornies, Solicitors, with all other persons of this Common-wealth, both for the present and future Ages, to give them the least legal assistance, advice, or relief against the same, or against any Officers, or Assistants which shall forcibly loane it by distress, Fines, Imprisonments, Confiscation. of Goods, Sequestrations, Sales of their personal or real Estates, or otherwise?

I appeal then (in the behalf of all the Freeborn People of England) the Souls and Consciences of these new Ordinance-makers, with all the Executioners of them in any kinde, before all the Tribunals of Heaven and Earth, whether they have not by these their Dismal Ordinances, more desperately, irrecoverably, totally, finally (as much as in them lies) undermined, subverted; and quite blown up at once, all the Foundations of our hereditary Fundamentall Properties, Liberties, Laws for eternity, and levelled them to the dust, then the worst of all

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See the Arguments concerning them in Mr. Hammonds and others Cases,

our Kings or former Councill-tables ever did? Deprived the whole Nation, and every particular Free-man in it, of all future benefit of our Laws, Statutes and Convis of Justice, for their just relief against this intolerable Oppression; and thereby reduced us to the condition of the most slavish, captivated, fettered Bond-slaves and conquered Vassals under heaven, without any visible means or hopes of future enfranchisement, under a pretext of fighting for, maintaining, protecting, enlarging our former properties and freedoms &c. to a more miserable, lordid, servile condition, than either we or our Ancestors sustained under the worst of al our Kings and their most pernicious Counsellors; who never in any age attempted, richer to make or impose such Extravagant enSlaving Ordinances or Excises, with such strange penalties, Forfeitures, Imprisonments, Sequestrations, sales, &c. most unrighteous *Monstrous Inhibitions* of all legal suites, &c. means for their relief in Courts of Justice, as they have done: King Charles himself (though condemned, beheaded by them for the worst of Tyrants and Oppressors) permitting his Subjects free Liberty, to dispute the Legality of Fines for Knight-hood, Ship money, Tonnage, Poundage, Loans, Excise and other Impositions not ——— only in his Parliaments, (where they were fully debated without restraint, and Laws passed against them afterwards by his own Royall assent thereto) but likewise in all his other Courts, where they were first brought in question. Yet now in our *New Free State*, under these greatest pretended Patrons of our Laws and Liberties, all Courts, Judges, Justices, and other Officers must conform to these illegal Impositions, and their tyrannicall waies of inforcement, without any opposition or dispute whatsoever; and all Counsellors, Attornies, Solicitors and others, must neither argue, nor advise, nor act, in any kinde against them. And is this the glorious old ancient English Liberty, Freedom, Property, Law, and free course of Justice, wee have spent so many millions of Treasure, so many years of publique Consultations, warres, Prayers, Fasts, Tears, and such Oceans of precious christian Protestant English blood, inviolably to maintain and perpetuate to posterity? If any Free-born English men whatsoever dare publicly averre it, let them do it at the perill of their infamy, execration in all future

future ages, yea of their own *heads* and *Souls*. If they cannot but now absolutely disavow it, let them with shame and indignation disclaim, renounce such *illegall Ordinances, Excises*, as most detestable both to God and all true-born English free men.

The 2 is, The present continuing Impositions of *Customs Tonnage and Poundage upon Goods, Merchandizes imported and exported, without any grant thereof by Parliament*, by a new Printed Paper, entituled, an *Ordinance of March, 13 1653.* thus peremptorily imposing them without any *Prologue or Inducement* to satisfy the people either in *Equity or Justice*, much lesse in their *Legality* in respect of those who thus impose them for sundry years yet to come. *Be it ordained by his highness, the Lord Protector, with the advise and consent of the Councell, that one Act of Parliament (though no Act at all by any*

known Laws, Statutes, Law-books, Records, Customs, or Constitutions of the Realm, but a meer Nullity) entituled, an Act for the Continuation of the Customs, until the 26 of March, 1653, and all clauses and powers therein contained are, and ARE HEREBY CONTINUED, and SHALL and DO STAND IN FULL FORCE UNTILL THE 26 DAY OF MARCH in the year of our Lord 1658. &c. By which these New *Legislators*, by their own inherent Superlative Power, presume to impose this Tax upon the whole Nation, (without any grant in Parliament) for full 5 years space, not only contrary to the * *Presidents* in all former *Kings* reigns, who never claimed nor received it, but by speciall grant in Parliament; but likewise contrary to this memorable *Remonstrance*, made by the whole *House of Commons* in the *Parliament of 3 Caroli*, never yet Printed to my knowledge.)

Most gracious Sovereign, your Majesties most loyall and dutifull Subjects, (the *Commons in this present Parliament Assembled*,) being in nothing more carefull than of the *Honour and Prosperity*, of your Majesty and the *Kingdome*,) which they know doth much depend upon that union and relation betwixt your Majesty and your people) do with much sorrow apprehend, that by reason of the incertainty of their continuance together, the unexpected interruptions which have been cast

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upon

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* See Cooks
4. Justit. c. 1.
Brooks Parlia-
ment 4. 76 42.
107. and my
Plea for the
Lords.

* See Cooks
4. Justit. c. 1.
and Rastal.
Taxes.

‘upon them, and the shortness of time in which your Majesty hath determined to end this Session; they cannot bring to maturity and perfection divers businesses of weight, which they have taken into their consideration and resolution, as most important for the common good.

‘Amongst other things, they have taken into especial care the preparing of a Bill for the granting to your Majesty such a Subsidy of Tonnage and Poundage, as might uphold your Profit and Revenue, in as ample manner as their just care and respect of Trade (wherein not only the prosperity, but even the life of the Kingdom doth consist) would permit. But being a work which will require much time and preparation, by Conference with your Majesties Officers, and with the Merchants, not only of London, but of other remote parts; they finde it not possible to bee accomplished at this time; wherefore considering it will be much more prejudicial to the Rights of the Subject, if your Majesty should continue to receive the same without Authority of Law, after the determination of a Session, than if there had been a recess by Adjournment only (in which case that intended Grant would have related to the first day of the Parliament) and assuring themselves, That your Majesty is resolved to observe that your royal Answer, which you have made to the Petition of Right of both Houses of Parliament; yet doubting lest your Majesty may be mis-informed concerning this particular case, as if you might continue to take those Subsidies of Tonnage and Poundage, and other Impositions of Merchants without breaking that Answer; they are forced, by their duty which they owe to your Majesty, and to those whom they represent, to declare, THAT THERE OUGHT NOT ANY IMPOSITION TO BE LAID UPON THE GOODS OF MERCHANTS EXPORTED OR IMPORTED WITHOUT COMMON CONSENT BY ACT OF PARLIAMENT, WHICH IS THE RIGHT AND INHERITANCE OF YOUR SUBJECTS, FOUNDED NOT ONLY UPON THE MOST ANTIQUENT AND ORIGINAL CONSTITUTION OF THIS KINGDOM, BUT OFTEN CONFIRMED

AND

Nota.

Nota.

AND DECLARED IN DIVERS STATUTE

LAW? And for the better manifestation thereof, may it please your Majesty to understand, That although your royal Predecessors, the Kings of this Realm have often had such Subsidies, and Impositions granted unto them upon divers occasions, especially for the guarding of the Seas, and safeguard of Merchants, yet the Subjects have been ever careful to use such Cautions and limitations in those Grants, as might prevent any Claim to be made, that such Subsidies do proceed from duty, and not from the free gift of the Subject, and that they have heretofore limited a time in such Grants, and for the most part but short, as for a year, or two; and if it were continued longer, they have sometimes directed a certain space of resensation or intermission, that so the Right of the Subject might be more evident. At other times it hath been granted upon occasion of Warre for certain numbers of years, with Proviso, that if the Warre were ended in the mean time, then the grant should cease. And of course it hath been sequestred into the hands of some Subjects to be employed for guarding of the Coasts; and it is acknowledged by the ordinary Answers of your Majesties Predecessors, in their assents to the Bills of Subsidy of Tonnage and Poundage, that it is of the nature of other Subsidies, proceeding from the good will of the Subject. Very few of your Predecessors had it for life, until the reign of Henry 7. who was so farre from conceiving he had any right thereunto, that although he granted Commissions for collecting certain Duties and Customs due by Law, yet he made no Commission for receiving the Subsidy of Tonnage and Poundage, until the same was granted to him in Parliament.

Nota.

Since his time, all the Kings and Queens of this Realm have had the like Grants for life, by the free love and good will of the Subject; and whensoever the people have been grieved by laying any Impositions or other Charges upon their Goods and Merchandizes without authority of Law, (which hath been very seldome) yet upon complaint in Parliament they have been forthwith relieved; saving in the time of your royal Father, who having through ill counsel raised the Rates

* Though he came in by the Sword, as a kind of Conquerour.

Nota.

Nota.

of Merchandizes to that height at which they now are, yet he was pleased so farre to yeeld to the complaint of his people, as to offer, that if the value of these Impositions which he had set, might be made good unto him, he would bind himself, and his Heirs by Act of Parliament, never to lay any other; which offer the Commons at that time, in regard of the great burthen, did not think fit to yeeld unto.

Nevertheless your loyal Commons in this Parliament, out of their especial zeal to your Service, and special regard of your pressing occasions, have taken into their considerations; so to frame a Grant of Subsidy of Tunnage and Poundage to your Majesty, that both you might have been better enabled for the defence of your Realm, and your Subj^{ts} by being secure from all undue Charges, be the more encouraged cheerfully to proceed in their course of Trade; by the increase whereof your Majesties profit, and likewise the strength of the Kingdom would be very much augmented. But not being now able to accomplish this their desire, there is no course left unto them without manifest breach of their Duty, both to your Majesty and their Country, save only to make this humble Declaration, THAT THE RECEIVING OF TONNAGE and POUNDAGE, and OTHER IMPOSITIONS NOT GRANTED BY PARLIAMENT, IS A BREACH OF

* And are not all the Commons Merchants, Free-men of England bound to use the same course, and make the same Declaration now?

Nota.

* And can our p^{re}scent Grantees take it in ill part if we refuse to pay them now, being demand'd without Warrant of a Law, and the receivers of them in a Premunire by express Act of Parliament of 16 Carolis made since this Remonstrance.

THE FUNDAMENTAL LIBERTIES OF THIS KINGDOM, and CONIRARY TO YOVR MAJESTIES ROYAL ANSWER TO THE SAID PETITION OF RIGHT; And therefore they do most humbly beseech your Majesty to forbear any further receiving of the same, and not to take it in ill part from those of your Majesties loving Subjects, WHO SHALL REFUSE TO MAKE PAIMENT OF ANY SVCH CHARGES WITHOVT WARRANT OF LAW DEMANDED. And as by this forbearance, your most excellent Majesty shall manifest unto the World your ROYAL JUSTICE IN THE OBSERVATION OF YOVR LAWS; so they doubt not hereafter, at the time appointed for their coming to gain, they shall have occasion to express their great desire to advance your Majesties HONOUR and PROFIT,

The

The King dissolving this Parliament on a sudden, and continuing to take *Tonnage and Poundage* by his Royal Prerogative without any Act of Parliament, sundry (a) Merchants upon the Commons Remonstrance, refused to pay the same; whereupon their Goods were seized: of which they complaining in Parliament, 16 Caroli, were Voted full Reparation against the Customers, with Damages for the same. And to prevent the Kings Claim thereunto by right; with all future Demands and Collections thereof from the Subject without grant in Parliament, they Declared and Enacted by three special Acts of Parliament 16 & 17, Caroli, That IT IS and HATH BEEN THE ANTIENT RIGHT OF THE SVBJECTS OF THIS REALM; That NO SUBSIDY, CVSTOME, IMPOST, OR OTHER CHARGES WHATSOEVER OUGHT OR MAY BE LAID OR IMPOSED UPON ANY MERCHANDISE EXPORTED OR IMPORTED BY SUBJECTS, DENIZENS OR ALIENS, WITHOVT COMMON CONSENT IN PARLIAMENT, and that if any Customer, Controller, or any other Officer, or Person, should take or receive, or cause to bee taken or received the said Subsidy, or any other Impost upon any Merchandize whatsoever, exported or imported, except the same be due, by Grant IN PARLIAMENT, shall incur the penalties and forfeitures OF A PREMUNIRE, to the which the King gave his Royal Assent. And to prevent any future prescription thereunto by the King, they discontinued it for some time, and then granted it specially from Month to Month, or some short space with sundry limitations, and the penalty of A PREMUNIRE if otherwise received, by several New Acts of Parliament, to which the King gave his assent. These Acts the King himself in his Proclamation of the sixteenth of December, in the eighteenth year of his reign, Ailes, THE FENCES OF THE SVBJECTS PROPERTY, received from Us, and understood by Us, as one of THE GREATEST GRACES THE CROWN EVER CONFERRED ON THE SVBJECT; And by that Proclamation, he prohibited all his Subjects, both the payment and receipt of any Monies for Customs, or other Maritime Duties, contrary

(a) Alderman
Chambers, Mr.
Rolls, and o-
thers.

Nota.

to this *Act*, by any Ordinance of both Houses of Parliament; under pain of a *PREMUNIRE*, and of being likewise proceeded against as ill-affected persons to the Peace of the Kingdom.

Whereupon the Lords and Commons in their answer to this Proclamation; though they declared; that the intent and meaning of that penall Clause of a *PRÆMUNIRE* and other Forfeitures (in these new statutes, which likewise disable every person, Customer, Officers who should take or receive, or cause to be taken or received any such subsidy or imposition upon any Merchandize, during his life, to sue or implead any persons, in any action reall, mixt or personal in any Court whatsoever,) was only to restrain the Crown, from imposing any duty or payment on the Subjects, without their consent in Parliament: and that it was not intended to extend to any case wherein the LORDS and COMMONS GIVE THEIR ASSENT IN PARLIAMENT (which they never did to this New *White-hall* Ordinance, nor the pretended *Act* recited in it, therefore the imposers and receivers of it by vertue thereof, without such assent in Parliament, are within the penalties of the afore said Statutes:) Yet to avoid the danger of a *Premunire* in their Officers, by exacting it only by an Ordinance of both Houses, without a speciall *Act* of Parliament; they did by their first* Ordinances, impose and demand Customes, Tonnage Poundage and new Imposts, not as a Legal Duty, but only BY WAY OF LOANE; til the *Act* of Parliament for their future continuance should be assented to by the King: as their Declaration of 31 December 1642. and their Ordinance of the same date, concerning the subsidy of Tonnage and Poundage attest. By what color of Law, Justice, Right, this ancient birth-right of all English Subjects, so lately declared by three Acts of Parliament, to which most of our late and present *White-hall* Grandees were parties, comes to bee lost and forfeited by our contests to preserve it; or how the Customes, Imposts of Tonnage, and Poundage, can bee now imposed, continued on, or exacted from the Subjects by any Powers, Officers, or persons Whatsoever, and levied by severest penalties, Forfeitures, Imprisonments, Seisures, by pretext of this *White-hall*

White-hal Ordinance, (though no waies granted by common consent and Act of Parliament;) without incurring a *Premunire*; and forementioned penalties, disabilities; or without subverting the *Fundamental Liberty, Property, Franchises, Laws, Statutes of the whole English Nation*, in a farre higher degree then ever in former ages, I cannot yet discern; and all our *New Governours, Merchants, Customers, Officers* and other persons, who have any *Cordial affection, Love, Zeal to their own or the peoples hereditary Rights and Priviledges*, may do well to *denuere in Law upon it*, till they can satisfy their own and other mens consciences therein, to prevent the dangerous consequences of such an ill president to posterity. In the Parliament of 1 H.

4. rot. Parl. n. 32, 33, 34, 36. These were the principall Articles of impeachment exhibited against King Richard the Second; for which hee was forced to depose himself, as unfit to Govern, and resign up his Crown to King Henry the Fourth.

* *That whereas the King of England out of the profits of the Realm, and the Patrimony belonging to his Crown, might live honestly without oppression of his people; so as the Kingdome were not burdened with the extraordinary expences of warre, that this King during the Truces between the Realm and the Adversaries thereof; gave and squandered away a great part of the Crown-Lands to unworthy persons, and thereupon exalted almost every year, so many Taxes and Grants of Ayde from his Subjects of the Realm, that hee thereby*

GREATLY and TOO EXCESSIVELY OPPRESSED HIS PEOPLE, TO THE IMPOVERISHING OF HIS REALM. *That the same King being unwilling to keep and defend the just Laws and Customes of his Realm, and so do according to his pleasure, whatsoever should suite with his desires, frequently when the Laws of his Realm were expounded and declared to him by the Justices and others of his Council, who requested him to administer Justice according to those Laws, said expressly with an austere and frowning Countenance, THAT THE LAWS WERE HIS more suo, AFTER his own MANER; and sometimes, THAT THEY WERE IN HIS OWN BREAST, and THAT HEE ALONE COULD ALTER and MAKE THE LAWS.*

* See Historiæ Anglicanæ Londini. 1652. Col. 27 to, 29 51. Halls Chronicle f. 7.8. John Truffel in. 23. R. 2. p. 46. Grafton p. 401.

LAWS OF HIS REALM, *And being seduced with this opinion, he permitted not Justice to be done to very many of his Leige people, but compelled very many to cease from the prosecution of common Justice. That when as afterwards in his Parliament certain Statutes were made, which might always bind, till they were specially repealed by another Parliament, the same King desiring to enjoy so great Liberty, that none of these Statutes might so binde him, but that he might execute and do according to the pleasure of his own Will, which hee could not do of right; subtilly procured such a Petition to be presented to him in his Parliament, in the behalf of the Commons of his Realm, and to be granted to him in the general; THAT HE MIGHT BE SO FREE AS ANY OF HIS PROGENITORS WERE BEFORE HIM. By colour of which Petition and Grant, he frequently did, and commanded to be done, MANY THINGS CONTRARY TO THE SAID STATUTES NOT REPEALED, GOING AGAINST THEM EXPRESLY, and WITTINGLY, AGAINST HIS OATH AT HIS CORONATION. That although by the Statutes and Customs of his Realm, in the summoning of every Parliament, his people in every County of the Realm ought to be free, to elect and depute Knights for the said Counties to sit in Parliament, both TO RECEIVE their GRIEVANCES, and TO PROSECUTE REMEDIES THEREUPON, AS IT SHALL SEEM EXPEDIENT TO THEM; yet the said King, that he might in his Parliament be able to obtain the effect of his rash Will, frequently directed his Mandates to his Sheriffs, that they should cause to come to his Parliament CERTAIN PERSONS NAMED BY THE KING HIMSELF, AS KNIGHTS OF THE SHIRE; Which Knights verily favouring the said King, he might easily endure, as he frequently did, sometimes by divers threats and terrors, and sometimes by gifts, TO CONSENT TO THOSE THINGS WHICH WERE VERY PREJUDICIAL TO THE REALM, and VERY BURDEN SOME TO THE PEOPLE; and specially, TO GRANT TO THE SAID KING A SUBSIDY FOR CERTAIN YEARS, TO THE OPPRESSING OF HIS*

His People overmuch. That although the Lands and Tenements, Goods and Chattels of every Freeman, by the Laws of the Realm used in all former ages past, ought not to be seized, unless they had forfeited; Yet notwithstanding, the said King purposing & endeavouring to enervate these Laws, in the presence of very many of the Lords and Commons of this Realm frequently said and affirmed, That the Life, Lands, Tenements, Goods and Chattels of every one of his Subjects, are at his will and pleasure, without any Forfeiture (by the known Laws) which is altogether contrary to the Laws & customs of the Realm aforesaid. Whether all these high Misdemeanors charged against King Richard, have not been revived, and acted over and over both by words and deeds in a farre higher degree than ever he was guilty of them, by some late, present *Whitchall Grantees, Army-Officers, New Instrument-makers, Legislors, and Imposers of Excises, Customs, Imposts, Tonnage, Poundage, Contributions* for many years yet to come; and of that constant *Annual Revenue* projected, intended by them in their 27 Article; I remit to their own judgements, consciences, and our whole Kingdom to resolve, and what they demerit for such extravagant high offences, for which he lost Crown and Regal power, let others determine.

The 3. particular, is their late incumbent *Imposition of 6. Months new Contribution*, by a meer *Self-enacted Whitchall Jurisdiction*, without any consent, grant, in or by the People in Parliament, by that they intitle, *An Ordinance of the 8. of June 1654* beginning thus (in a most imperial-Style, transcending all former Acts of Parliament, granting or imposing any Subsidies) without any Prologue to sweeten it, or court the people to its ready payment.

Be it Ordained and Enacted by his Highness the Lord Protector, with the consent of his Council, and it is hereby Ordained, That towards the maintenance of the Armies and Parties of this Commonwealth An Assessment of one Hundred and Twenty Thousand Pounds

per Menssem for Three Moneths, commencing the 24 of June, 1654 and ending the 29 of Sept. following, shall be Taxed, Levied, Collected and Paid in England and Wales in such sort as is hereafter expressed. The full sum of the said Three Months Assignment of One hundred and twenty thousand pounds by the Month, to be at once wholly collected and paid in to the Receivers Generall at or before the tenth day of October next, &c. The Levying thereof upon the refusers hath been by distress of Goods by Souldiers, Troopers and quartering them on the refusers till payment, and double the value many times paid to, and exacted by the Souldiers for their pains; adjudged (even by some of our New Grandees Votes who prescribe such Taxes and wayes of levying them) to be No less then High Treason, and levying Warre in * *Straffords case*, for which principally he was condemned, and lost his head on *Tower Hill*, as a Traytor.

* See Mr. St. Johns Argument at his Attainder. p. 36. to 52.

In this New *Whitehall Tax* without a Parliament (intended as a leading President to bind the whole Nation in perpetuity, if now submitted to, as the 27 Article intimates) there is a double violation, subversion of the Fundamental Laws and Properties of the Nation in the Highest degree. The first, is by the reviving, imposing of * *Ship-mony* on the whole Realm, and all Inland Counties, as well as *Maritime*, for the Maintenance of the Navies by Sea, (which should be maintained only by the Customs) and that in a farre higher proportion than the *Ship-mony* imposed by Writs by our late beheaded King; amounting to no less than Forty thousand pounds per Menssem at least, by way of Contribution alone, besides the Customs, Tonnage, Poundage and Excise paid towards it.

* See Judge Crooks, & Judge Huttons printed Arguments, & my Humble Remonstrance against the Illegal Tax of Shipmony.

This Imposition of *Shipmony*, by the late King, (though ratified with the advice and consent of his Council, many colourable Presidents, Records in all former ages, and the precedent Resolution of all his Judges, under their hands, as just, and legally imposed in case of Necessity and Publike danger only, without consent in

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Parliament) together with the Judgement and Proceedings of the Judges in the Eschequer Chamber in justification thereof, were in the last Parliament, after solemn debate, by the Votes and Judgements of both Houses, on the 20. Jan. and 26 February, resolved (Nemine contradicente) To be contrary to the Laws and Statutes of this Realm, contrary to the Rights and Properties of the Subjects of this Realm, contrary to former Judgements in Parliament, contrary to the great Charter and to the Petition of Right: and voted to be so declared by the Judges at the Assizes in the severall Countie; the same to be entred and inrolled in the severall Countie by the Clerks of the Assises. After which, it was for ever damned by a special Act of Parliament, to which the King himself gave his Royal assent, (afterwards cited and enforced by both Houses. *Exact Collection* p. 886. 887, in the case of the Array.) And those Judges who argued, That the King might lawfully impose Shipmony on the Subjects, without a Parliament in cases of Danger and Necessity, of which they affirmed him to be the sole Judge; were by all impeached by the House of Commons of High Treason, for these Opinions of theirs; whereby they traitterously and wickedly endeavoured to subvert The Fundamental Laws and established Government of the Realm of England, and instead thereof to set up an Arbitrary and Tyrannical Government against Law; of which at large* before. How any present Powers or Persons then, can either impose, justify, levy, enforce it upon any Pretext of Necessity, or publique Danger, on the whole Nation, after all these late Resolutions, Judgements, Votes, Impeachments, and a special Act of Parliament so fresh in memory (especially such who were parties to them) without incurring the self-same Impeachments and guilt, as these Shipmony Judges did, or a severer Censure then they sustained, let their own Consciences, and those who may one day prove their Judges, resolve them at leisure, being past my skill to doe it?

*Printed at the end of Judge Huttons Argument. & amongst the Statutes of 16 Caroll.

* Chap 1. p. Diurnal Occurrences & Speeches, p. 191. to 265.

The 2. is, By the imposing of a direct heavy *Tax, Tollage, and Monthly contribution*, and that only (for the Maintenance of such a Land Army, which hath offered force unto the Members of both Houses, subverted, destroyed that *Parliament, Government, Laws, Liberties*, for whose preservation they were specially raised, Commissioned, engaged) without, yea against the Peoples assent in *Parliament*: which no *King of England*, with the advice and consent of his *Council*, had ever any Right or Power to doe, or audacity enough to attempt, no not *William the Conqueror, Canute, Henry the 4th. Edward the 4th. or Henry the 7th.* who came principally by power of the *Sword*, to their *Sovereign Regall Authorities*. By what Justice, Power, Legal Right, any other person or persons whatsoever, who are neither rightfull *Kings*, nor *Parliaments of England* in their own or others repute, can either impose, levy, exact such extravagant *Heavy Taxes, Contributions*, from the exhausted Free-born *People of England*, (especially being now pretended new *Free State*,) against all our *Fundamental Lawes, Statutes, Franchises, Charters, Properties, Liberties, Records, Parliamentary Judgements*, their own late *Remonstrances, Declarations, Votes*, the *Presidents of all former ages*, yea of all our *Kings* coming in by the *Sword* to their *Thrones*, let the Imposers of them seriously advise, as they will answer it at their utmost peril to *God, Men*, and the whole *English Nation*; who expected better things from them, even a total final exemption from all such *illegal Burthens*, after all their late *Wars, Agonies, Expences*, to redeem and preserve their *Lawes, Liberties, Estates, Properties, Posterities*, from such exorbitant Oppressions, diametrically contrary to all the forecited *Judgements, Resolutions, Remonstrances, Statutes, Votes, Presidents*, and sundry others, which I shall hereafter insist on in the third Chapter of this Treatise to which I must refer you: And shall we not then adventure a distress,

stresse, a Prison, quartering upon, or any other Dureſſe, yea Death it ſelt, rather than volutarily ſubmit our ſelves and Poſterities backs thereto, when as we ſpend our Bloods, Lives, Treasures, againſt leſſer, eaſier, Royal Impoſitions? How ſhall we answer it to God, Men, or our enſlaved Poſterities, if we now moſt ſafely, unworthily ſubmit thereto in perpetuity, without the leaſt legal, ſtrenuous, publick oppreſſion or debate of its legality.

If any here allege (as ſome men do) in Juſtification of theſe three, (or rather four) forecited kinds of illegal *Objettion.*
univerſal Taxes, impoſed, levied, on the whole Nation, without conſent of Parliament; That they are all warranted by the *Instrument of the new Government*; Article 27, 28, 29. *That a conſtant yearly revenue ſhall be raiſed, ſettled and ſtabliſhed, for maintaining Ten Thouſand Horſe and Dragoons, and Twenty Thouſand Foot in England, Scotland, and Ireland for the Defence and ſecurity thereof, and alſo for a convenient number of Ships for guarding the Seas, beſides two hundred thouſand pounds per annum, for defraying other neceſſary charges, for Adminiſtration of Juſtice, and other expences of the Government, which Revenue ſhall be raiſed by the Cuſtomes, and ſuch other ways and means which ſhall be agreed on. By the Lord Protector and Council; and ſhall not be taken away, or diminithed, nor the way agreed upon for the raiſing of the ſame altered, but by conſent of the Lord Protector and the Parliament. That the ſaid yearly Revenue ſhall be paid into the publick Treasury, and iſſued out for the uſes aforeſaid. That in caſe there ſhall not be cauſe hereafter to keep up ſo great a Defence at Land or Sea, but that there be an abatement made thereof, The Money which ſhall be ſaved thereby, ſhall remain in bank for the Publick ſervice, &c.* All which they, in the *True ſtate of the Caſe of the Commonwealth*, p. 43, 44. commend, for a moſt excellent Proviſion, A conſtant Revenue, A Publick Bank or Treasury upon all occaſions, &c. which they intend

to perpetuate on the whole Kingdom, without end or abatement, as well in times of peace, safety, as of war and danger. Therefore the Protector and his Council at Whitehall in pursuance hereof, may lawfully impose (by vertue of these Articles) both Excise, Customs, Tonnage, Poundage, Ship-money and contributions, for these ends upon our three whole Kingdoms, and all the Freeborn English by printed Ordinances of their own, in what Proportions, and for what time they please (yea and for perpetuity) without consent or grant in Parliaments, and restrain all future Parliaments, both from taking away, or diminishing them, or altering the way agreed on for their raising, without their Protectors consent; hereto; (as the expresse words run, and their practise yet expounds them:) notwithstanding all former Laws, Statutes, Charters, Resolutions, Judgements, Remonstrances, Oathes, Vowes, Declarations, Presidents) either in or out of Parliament) to the contrary.

Answer.

To this I answer, first, that I cannot but stand amazed to hear any Army-Officers, Souldiers, Lawyers, or persons in present trust or power, who bear the name or hearts of English Freemen, Saints, Christians, Lovers, Patriots or Protectors of their Native Country of England, its Parliaments, Laws, and Liberties, to make such a stupendious irrational objection, as this, which justifies all the exorbitant Opinions, Proceedings, Taxes, Oppressions, Impositions, of our late beheaded King, Sirafford, Canturbury, the Ship-money Judge, old Whitehall Council Table, yea all our other former Kings, and their evil Counsellors most irregular Exaction of money in all ages from Brute till now; and will render the very worth of all our Kings, if compared with our late and present Tax-masters, and pretended Assertors of our Liberties, rather good, gracious, just, righteous, Princes, Benefactors, than Tyrants or Oppressors, for the future, seeing they never out of Parliaments imposed, enforced on their subjects any such heavy, various, perpetual Taxes, Imposts, Excises, Ordinances, or new Articles of the

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Government, as these forecited.

2ly. This Objection (if admitted just or solid) gives a private *Cabinet Council*, of obscure persons (yet unknown by name unto our Nation) a *Superlative, Super-Parliamentall Authority*, to contrive and set on foot, a new devised *Instrument*, to undermine and blow up all our former *fundamental Laws, Customs, great Charters, Liberties, Franchises, Properties*, Parliaments, former frame of Government at one crake, after all our late bloody, costly contestations for their preservation, both in the *Supream Courts of Publick Justice*; and *fields of War*, without our privities or consents thereto; either in or out of Parliament, contrary to all their and our *Protestations, Oathes, Covenants, Commissions, Trusts, Promises, Pretences*; And instead of *English Freemen* (as we were before these contests and wars) to strip us quite naked of all our former *Freedom, Liberties, Properties, Customs, Rights*, derived to us from our Noble *Ancestors*, as the purchas of their dearest blood & render us & our Posterities for the future, the most absolute *Slaves, Vassals, slaves under Heaven*, intrahled to all sorts of *intolerable, illegal, unparliamentary, incessant, endless Taxes* of all kinds, without hopes of alteration or mitigation by any future Parliaments, (without their *Protectors* or his *Successors* voluntary consents, which they cannot expect) and to a constant standing *Mercenary Army of Horse and Foot, by Land, and Navies of Hiredlings by Sea*, to keep us and ours in perpetual Bondage under such *New irregular Successive Tax-Masters*, who must sell their successors like themselves.

3ly. All our former *antient Laws, Statutes, Parliaments* till now, in all changes, *Revolutions of State or Government*, ever constantly asserted, maintained, provided; * *That no Tax, Tollage, Custom, Contribution, Impost, Subsidy, Charge, Excise, Loan or Payment whatsoever, should be imposed on the Freemen of England, without their common consent and grant, in full free, lawful English Parliaments*; and if any were imposed other-

* See p. 12 to 10 before the 1 Proposition; and Statutes, Arguments thereunto: specially 23 E. 1. c. 5. 6. 34. E. 1. c. 1, 2, 3. 14 E. 3. c. 11, and Stat. 2. c. 1. 3 *Cons The* Petition of Right.

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wife by any Power or Pretence whatsoever out of Parliament, that it was Null, and void to all intents, to bind the people. But these *Monstrous Articles* quite turn the scales; impowring a few private persons (neither elected nor intrusted by the people for such ends) by colour of this ill-tuned Instrument (contrived privately by themselves alone, as most conjecture, for their own self-interests) to impose perpetuall *Imposts, Excises, Customs, Contributions* of all kinds, on our whole three Kingdoms and Nations, which neither they, nor their Parliaments (though never so grievous, extravagant, unreasonable or oppressive) shall have power to take away, diminish, alter, or regulate in the forecited illegal, oppressing, violent wayes of levying them, unless their *Grand Sovereign Lord Protector*, (shall first give his consent thereto; which they cannot expect, nor enforce,) and in case of his refusal, they are utterly left remediless; he having *Thirty thousand armed Mercenary Horse and Foot* in severall Quarters by Land, and a strong numerous Navy by Sea at his command, to keep them under endless Tributes to him and his Successors for ever. O England, England, (to omit Scotland and Ireland) consider seriously, and timely; to what a *blessed Liberty*, and long-expect'd freedom, this New-invented Instrument and the *Irish Harp*, lately quartered with the *English bloody Cross*, as our *Free-State Arms*, hath now at last reduced thee, if these objected *Articles* must remain inviolable, maugre all our *Laws, Statutes, &c.* to the contrary; as our New *Tax-masters* and their *Instruments*, both literally and practically conclude, unless you use your uttermost, lawfull, present, diligent, joynt Endeavours to prevent it!

* See their Impeachments & printed trials, & Mr. St. Johns Argument at Law against Strafford, p. 34, 35.

4ly, The whole House of Commons, yea some who were parties to this *Instrument*, lately impeached and with the *Lords* censure, by judgement of Parliament condemned, beheaded the * *Earl of Strafford*, and Archbishop of Canterbury, as guilty of *High Treason*, in subverting our *Fundamental Laws, Liberties*, and setting up an

arbitrary Tyrannical Government; for resolving at the Council Table, before-hand, To assist the King to raise Monies on the Subjects to carry on the Warres against the Scots, by extraordinary wayes, in case the Parliament should prove peevish, and refuse to grant such Subsidies as they demanded of them. And for Straffords affirming, That Ireland was a Conquered Nation, and that the King might do with them what he pleased: That they were a Conquered Nation, and were to expect Lawes as from a Conqueror. And that he would make an Act of Council board in that Kingdom of Ireland, as binding as an Act of Parliament. And do not the Objectors, Contrivers of this New Instrument Articles, and those who now vigorously put it in execution in any kind (as too many do;) *shew out*, and do as much, as bad, as they in each of these particulars; say farre more and worse? Do not they (after the late violent breaches of our former Parliaments, and their own *Forfeits* by the Army) raise monies in more vast proportions, by more irregular, violent, extraordinary wayes, by longer continued Taxes, Excises, Impositions, and constant yearly Revenues, then they ever did or designed, quite out of Parliament, by their own arrogated Legislative Tax-imposing Power? Do not they by this very Instrument, proclaim to all the world, that not only Ireland and Scotland, but England it self, is now a meer Conquered Nation? that thereupon they may do with us what they please; and we must not only expect, but receive Lawes from them as Conquerors; having already published whole Volumes of New Lawes and Ordinances of all sorts at their New-erected Council-board (which the Old never did) and made them as binding, not only to Ireland, but England and Scotland too, as an Act of Parliament? Yes farre more binding than any Parliament Acts, by binding the hands, power of future Parliaments themselves, and our three whole Nations (as aforesaid) and that in Perpetuity (which no Parliaments, nor Acts of Parliament can do) and by repealing, nulling all our

Cook 4 Inst.
p. 41. 11 R. 2.
c. 4. 1 H. 4.
rot. Parl. n.
143. 2 H. 4.
c. 22. 11 R. 2.
c. 45. 8. 1
H. 4. c. 7. rot.
Parl. n. 48. 6a.
68.

former Fundamental Laws, Charters, Liberties, Free Government made by Parliaments, with our very *Parliaments* themselves? And if so, let the Objectors now seriously consider both the *Treasonableness*, unparliamentariness, sad *Consequences* of this Objection, and what ill effects it may produce in present or future ages.

*See Sir Edw.
Cook's Preface
to his 2. Instit-
utes.

5ly, The Statutes of 25 E. 1. c. 2. & 41 E. 3. c. 2. yet in force, declare *All judgements given or to be given by the Justices, or any other, contrary to the points of the Great Charter, to be void and holden for naught; and if any Statute be made to the contrary, it shall be holden for none.* Therefore these *Instrument Articles*, and *Peper Ordinances* made by colour of them, in direct opposition to, and subversion of the *points of the Great Charter*, and all other *Acts* for their confirmation, must needs be holden for naught and void to all intents, to bind this whole *Free-born Nation*, or any one Freeman of *England* in particular.

6. If these *Articles and Instrument* (for the premised reasons, and defect of *Legal power* in the yet unknown *Instrument-makers*) be not void in Law, to all intents and purposes, as all *wise men* repute them; yet other clauses, and *Articles* of this very *Instrument*, (admit it valid and obligatory to our *Nations*) give a fatal blow to all the forementioned *Excises, Impositions, Contributions* by colour thereof, and to the *Objected Articles*.

First the Prologue to the Oath, at the close thereof, proclaims the *Government* sealed by us, to be such, as by the blessing of God might be lasting, secure Property, and answer The Great Ends of Religion and Liberty, so long Contended for: But these *Articles* (as the Objection and premises evidence) do no wayes secure, but utterly subvert all *Property*, in the highest degree; and answer not, but eternally frustrate, abolish, the *Great ends* of our Religion (condemning all illegal, unrighteous Taxes and Tyrannical, Usurping, Oppressing arbitrary Powers) but especially of our *Liberties*, so long contended for;

*Jer. 21. 12. c.

22. 3. 4. 5. Pl.

12. 5 Ezech.

18. 5. 10 14. c.

22. 12, 13, 27.

29, 30. c. 45. 7.

10 10. c. 46. 16.

Mich. 3. 1. 10

5. c. 2. 1, 2, 3.

c. 7. 2. 11a 58.

6.

for; and are rather likely to raise new troubles and unsettlements, than make the *Government lasting* (as many late Presidents, with those ancient ones in Dr. Beard his Theatre of Gods Judgements, l. 2. c. 36. to 43. may perswade us:) Therefore it must be exploded, as repugnant to the whole scope of the *Instrument*.

2. The 6. Article of it is fatal and destructive to the objected Articles; viz: *That the Laws shall not be altered, suspended, abrogated, or repealed, nor any New Law made, nor any Tax, Charge, or Imposition laid upon the People, but by common consent in Parliament. Save Only, as is expressed in the 30th Article* (not 27.) Now these objected 27, 28, 29 Articles, being diametrically contrary to every word, clause of this 6 Article, and agreeable to our Fundamental Laws (which the last clause of the Oath obligeth their *Protector* and his Successors to maintain, and to govern the People by) which Laws must be all * altered, suspended, abrogated, repealed by these Articles alone, if reputed valid; in giving Power to them, to impose any Tax, Charge, Imposition upon the People, without common consent in Parliament; and being not within the saving of this, or the 30th Article, must needs be void and repealed by this very sixth Article, and the Oath it self.

* See Yvet, &c.
P. 17, 18.

3. The 30th Article following them, diametrically contradicts, repeals them in these words. *That the raising of Money for defraying the charges of present extraordinary Forces both by Land and Sea, in respect of the present wars, shall be by consent of Parliament: Save only, that the Lord Protector, with the consent of the Major part of the Council, for preventing the disorders and dangers which may otherwise fall out both at Sea and Land, shall have power until the meeting of the first Parliament (on the 3. September 1654.) to raise Monies for the purposes aforesaid.* The former part of this Article is consonant to, and expounded by the 6. foregoing, which is more generall: and the plain sense thereof is this. *That all monies raised for defraying the*

Extraordinary Forces both by Land and Sea (exceeding the ancient standing Garrisons, Guards maintained by the old constant Revenues of the Crown, without any Tax upon the People) shall be by consent of Parliament. Therefore *a fortiori*; all perpetual standing Taxes, Excises, Contributions to maintain the ordinary and extraordinary Forces by Land or Sea, and ordinary expences of the Government (which, in respect of their constancy, permanency, are far more grievous, dangerous to the Subject than rare extraordinary ones upon emergent occasions,) must and ought not to be imposed by their new created Power out of Parliament, after the 3 of September.

Objection.

It any here object; That the latter clause of the 30 Article *Saves only*, &c. Authorized those at Whitehall, without a Parliament, to impose Excises; Taxes, Customs, Impositions, Contributions forementioned, and any other constant annual Revenue they shall settle, according to the 27 Article; so as it be done before September 3. 1654. Therefore they are all lawfull, because imposed before that time by their printed Ordinances forecited.

Answer.

I Answer, 1. That this *saving*, is utterly void in law, to all intents, 1. Because it is not only contrary to all our Fundamental Laws, Great Charters, Statutes; but repugnant to the body of the 6 Article, and first part of the 39. to which it is annexed. 2. Because it assigns the *Legislative Tax-imposing Power* (the inseparable *incommunicable Jurisdiction* of our Parliaments alone) to a *new Whitehall Council*, by a void instrument made out of Parliament for a certain time, which biggest Sovereign power, the Parliament it self neither legally may, nor can, nor ought to transfer by any Ordinance or Act of Parliament, to any Committee of their own Members; no not for a moment, as is both resolved and declared by Act of Parliament. 1 H. 4. c. 3. and Res. Parl. 1 H. 4. b. 26, 48, 16 c. 70. 31 H. 8. c. 8. 34 H. 8. c. 23. and 1. E. 6. c. 12. it being derogatory and destru-

live

Give to the free State power, Rights of Parliaments, tending to the great incommodity of the whole Realm, and of pernicious example to Posterity, as the whole Parliament of 1. H. 4. long since resolved in positive termes.

2ly. This saving is just like the Popes old * *Detestabile Non Obstante*, at the close of their Bulls; *qua omnem subvertis praeibisam Justitiam*, which subverted all the Justice and Privileges granted before to any in the Body of those Bulls; and as pernicious as that * *Proviso*, which the House of Lords desired at first, to have inserted into the Petition of Right, which would have made it *Felo de se*, because it insinuated that the King by his Sovereign power wherewith the Law had intrusted him, for the protection, safety, and happinesse of his People might impose any Aid, Tax, Tallage, or charge upon his People without a Parliament, though by his ordinary power he could not do it, which had left the Subjects in worse case than it found them, and wholly destructive to itself in all the parts thereof: whereupon after a conference had concerning it by the Commons, it was totally rejected by both Houses; as this *Salvo* must be for the self same reason.

3ly. Admit it valid; yet it gives power to them to raise moneys for the maintenance by Land and Sea; only until September 3. 1654. and no longer; as is evident by the very words themselves; and the Confession, Exposition, (of those who made the Instrument, as most suppose) in their, *True State of the Case of the Commonwealth of England*, &c. 1654. p. 39. 40. in these words *This power is to continue only till the sitting of the next Parliament.* Yea George Smith in his new Treatise, intituled; *Gods unchangeableness*, &c. (in justification of the present Governour and Government) p. 54. writes thus; *And for his seeking to have power to make Law, and raise moneys, it is meet calumination. He seeks it not, He claims it not, but leaves it to the wisdom of Parliament, as appears in Article 6. (as is thus ex-*

* *Math. Paris Hist. Angl. London. 1640. p. 810. 818, 854 875.*
* See Mr. St. Johns Speech against the ship-money Judges, p. 16, 17, 18, 19. Exac. Collect. p. 685.

cepted) *for and in Cases of safety and necessity*, till the time that this present Parliament was assembled, and yet to be done by him with the advice of his Council, so then to seek not the strength nor treasure of the Nation, nor to have it in his own power. Therefore they can impose no Taxes, Excises, nor Contributions by their printed Ordinances to continue after its beginning; nor by any future Ordinances (as they term them) after that time. Now the first Tax of Excise, forementioned, is imposed till the 26 of March 1655 which is 7 months after the 3 of September 1654. The 2 of Customs, Tonnage and Poundage, is continued till the 26 of March 1658, which is 3 years and 7 months after this 3 of September. And the 3 for the 6 Months Contribution reacheth till the 29 of December 1654, which is near full 4 Months after the first sitting of that their next Parliament: And any constant yearly Revenue settled by them, will far exceed this limited time, and all former Taxes: Therefore all these premised, and all other future Excises, Customs, Impost, Contributions by pretended Ordinances for their levying after the 3 of September, exceeding the power and time limited by this *Saving*, must be void, and no ways warranted by the very *Saving* it self, and to be opposed as such.

4ly. To say, That although these several impositions continue after the 3 of September 1654, yet they were imposed by their Printed Ordinances before it; therefore within this *Saving* is a most absurd excuse and shift, repugnant to the words, yea wholly destructive to the 6 Article, and first part of the 30, For by this reason had their forecited Ordinances (or any other dormant or future Antedated ones yet unpublished) imposed Excises, Customs, Tonnage, Poundage, Contributions on us for twenty, fifty, an hundred, or a thousand years yet to come, before the 3. of September, they must have been binding to us and our Posterities, during all that space, and unavoidable by the people, or future Parliaments, by this *Saving* and explication of it. But the words of
this

this *Saving*, giving only Power to raise *Monies* until the meeting of the first Parliament; not to make *New Edicts* any time before it to impose and continue Taxes for any time or years after it, (which would have forestalled, affronted the next and all future Parliaments in their proper work, of granting, regulating all future Taxes (according to the 6. and 30. Articles) and made them meer Cyphers;) clearly takes away this evasion; with all their former and future *Whitchhall* Impositions after the 3 of September; as contrary both to their *Instrument* and *Oath*.

5ly, The words of the 30th *Article* whereto this *Saving* refers, are observable, *That they shall have power until the meeting of the first Parliament, to raise Monies for defraying the Charges of the Extraordinary Forces both at Land and Sea*. In respect of the present *Wars*: To which, for the purposes aforesaid, in the *Statute* relates. But the present *Warres* being many *Months* since ended, both by Land and Sea, by the *Peace* concluded with *Foreign Nations*: and so no need, nor use of *Extraordinary Forces*, to be still continued by *Land or Sea*; the ancient *Trayned Bands* and *Militia* of the *Realm*, being now well able to defend, secure us at their owne cost, without any *Mercenary Forces*, *Excises* or *Contributions*, only to pay them; the power of raising *Monies* in this *Saving*, with the grounds thereof, are now at an end, as well as our *Wars*; and the whole 27 *Articles* too: Since the old *standing Militia*, and *Trayned Bands* of the 3. *Nations*, will be a sufficient *Safeguard* to them, without our *Mercenary Army* or *Forces*; which

* See *Heylyn*
Microcolme.

P. 756, 757.

758, 395, 412.

507. 577. 578.

642. 672. 704.

* *Exact Coll.*

P. 7. 575. 639.

640. 641. 807.

836. 850. to

890.

and.

and Perquisites of the Courts of Justice, *will be sufficient to defray* all the Ordinary expences of the Government, Navy, old standing Garrisons, (if continued, though useles) Officers of State and Justice, as they did in *all former ages*, and still ought to do, for the peoples ease and benefit.

* See the Act of Relump-
tion, 18 a. 6.
11. 53.

(a) See Cook's
4 Inst. c. 1.
p. 33. Regal
Taxes, & here
ch. 3. sect.
455. 6.

* See 14 E. 3.
c. 21. & Stat.
2. c. 1. 5 R. 2.
Stat. 2. c. 23, &
all Acts for
subsidie.

* See Henry
de Kyngton, de
Eventibus
Anglie, l. 5.
col. 1681. to
1690. 2 R. 2.
rot. Parl. n.
20; 21. 24.

6ly, It hath been the special policy, care of our *prudent Fore-fathers* and *wise (a) Parliaments*; never to *grant any annual Tax or Charge* (except Tonnage and Poundage in some cases for a limited time) for *Publike Defence, unto their Kings and Governours*; nor usually to give them above *Subsidy, or one or two Fifteens*, or a *single Escheage*, and sometimes not so much, in *any one Parliament*, upon any *extraordinary occasion or necessity*, and that upon these Grounds. 1. Because *extraordinary Aydes, ought to be granted only for, and proportioned to extraordinary, present, emergent Necessities*, visibly appearing; which being not lasting, but momentary and various one from another, no standing certain Contribution can or ought to be allotted for them, but only a temporary and mutable; the ordinary settled Crown Revenues being sufficient to defray all ordinary expences, without other Aydes. 2ly, To keep a perpetual tie upon their Kings and Governours, to summon frequent Parliaments, and redress all their Grievances in them, before they should receive any Grant of new Ayds or Subsidies from them, to supply their publike Necessities; to preserve a Power and Right in Parliaments to examine the grounds and present necessity of all Taxes demanded: and to *take an Account how former Taxes, & the Kings Revenues had been disbursed, before they granted new ones*: All which the granting of standing annual Aydes for publike Defence would frustrate. 3ly, To prevent the encroaching of a constant Charge and Revenue on the People, which if granted but for years, life, or but twice or thrice in the same kind and proportion, without alteration, though but as a free gift in Parliament, would thereupon be claimed, exacted from them afterwards, as

a meer just annual Right and Revenue, without their future grants, as *Danegeld*, was by some of our Kings of old; *Imposts* once granted, by *Edward the 3.* and other Kings heretofore; and the *Customes of Tonnage & Poundage* by King *Charles* of late. 4ly, To avoid all unjust Oppressions of the people by imposing on them more Taxes at once than the present urgent necessities required. 5ly, To prevent the inhaunting, doubling of Taxes by any new dangerous Presidents; Sir *Edward Coke* observes in his 4 Institutes, p. 33. *That the Commons never used to give above one Temporary Subsidie, and two Fifteens, in any one Parliament, and sometimes less; till the Parliament of 31 Eliz. which gave 2. Subsidies, and 4 Fifteens; upon which first breach of this old circle and usage, their Taxes still increased afterwards by degrees; for in 35, & 39 Eliz. they rose to 3. Subsidies, and 6 Fifteens: in 43 Eliz. to 4 Subsidies and 8 Fifteens: in 21 Jacobi to 3 Subsidies, and 6 Fifteens, in shorter time then had been before: in 3 Caroli, to 5 Subsidies in shortest time of all: and now of late, to constant annual Imposts, Excises, & endless Moneshly Contributions, amounting to at least 3 Subsidies every Month.* 6ly, Because a standing extraordinary Tax (especially for years or life) when once claimed or received as part of the *publique Revenue*, would be hardly relinquished, or discontinued, without much contest, and danger; as appears by *Danegeld* of old, and *Tonnage, Poundage, Excise, Monthly Contributions* of late imposed as of right upon us, by every new upstart Power; and when once customarily claimed, collected as a *Duty*, will no ways ease nor exempt the people from new *Extraordinary Aydes and Taxes*. This is evident by that memorab[e] President concerning *Abby-Lands*, in King *Henry the 8* his reign, settled on him as a large annuall standing Revenue, of purpose to defend the Realm, and ease the People from all future *Aydes*, by the *Parliaments* of 27 H. 8. c. 28. 31 H. 8. c. 13. 32 H. 8. c. 14. Yet were these *Lands* no sooner settled on the Crown for these ends, but in the same Parliament of 32 H. 8. the

King demanded and had of his Subjects, one extraordinary Subsidy both of the Clergy and Laity; and 34 H. 8. c. 16, 17. & 37 H. 8. c. 24. he demanded and had the like Subsidy of them again: and his Successors the like and greater Subsidies every Parliament since. The like we see in the Case of Tonnage and Poundage, granted only for the Defence of the Seas and Realm against Foreign Enemies & Pirates: Which no sooner taken by the late King, as a Standing Revenue of the Crown, but he exacted and levied against Law, a New annual Tax of Shipmoney, to guard the Seas, for which very use he received Tonnage, Poundage, and the ancient Customs; as our late Governors did, and present do; together with new Imposts and Excises; and yet impose Land-rates of Forty thousand pounds a Month besides, to Maintain the Navy. To instance in one particular more: Our late new Governors made sale of all Archbishops, Bishops, Deanes, Chapters, Delinquents, Kings, Queens, Princes, and Sequestred Lands and Goods, both in England, Scotland, and Ireland, one after another; under pretext, to ease the People in, and of their heavy Taxes: But what was the issue? all their Taxes, Excises, and other Impositions were still continued on them, without any intermission or diminution, nay advanced higher than ever, to 120 thousand pounds Contribution by the Month for England, besides Scotland and Ireland, even while all these Lands and Goods were selling; the Lands and Goods sold, consumed, without any publique Account yet given of the Monies, or their disposall; or any present ease to the oppressed people: and the ordinary standing Revenues of the Realm being now by this means decayed, dissipated, and almost brought to nothing; these New Projectors and Dissipators of this vast publique Revenue; instead of easing, by colour of this Instrument, resolve to impose upon the undone, long-oppressed Peoples gauled, broken backs and Estates, such perpetual constant, annual Taxes, Excises, Imposts, Revenues as you have heard, for the Maintenance both of the Army, Navy, Administration of Justice,

rice and other ordinary expences of the Government; which no Kings of England ever yet received, or pretended to. Which if any future Parliaments shall be so mad, or improvident once to settle, or the Kingdom not unanimously to oppugne; if settled by them without a Parliament, instead of easing of the People of their long insupportable Taxes, now their Wars are ended; in all succeeding Parliaments, they shall still be burthened with new extraordinary Taxes, upon new pretended extraordinary occasions, and Forces raised (as the words of the 30 Article, compared with the 27 and 29, declare) as if this new constant revenue had never been settled; and if our Parliaments refuse to grant them, these New Projecting Tax-Masters (who must dispose of all the moneys in the intervals of Parliaments) will impose and levy them at their pleasure, by their Supertranscendent usurped Tyrannical Power and Sword men, and dispose of them as they please without a Parliament, as they have already done, without rendering any other publick Account to the people thereof, than hath hitherto been given to them of all the many millions of Treasure already extorted from them of late years, to no other end (as appears by these Articles of our New Government) but now at last, to bring and keep them under perpetual endless Taxes of all sorts, and the intolerable, worse than Turkish Slavery of a perpetual dominating Mercenary Army, Navy, instead of long promised Liberty, ease and exemption from them, till they are all brought to a morsel of bread, and till their private estates be utterly consumed, as well as the publick Crown and Church Revenues, yet remaining.

The sad and serious consideration of all which Premises, I humbly submit to the Impartial Judgements, Consciences of our present Governours, Army-Officers, Soldiers themselves, how discrepant they are from all their former printed Declarations; Protestations; Promises, Vowes, Engagements to the People, and what they expected from them; It was the Speech of the Scythian

*Embassadors, to Alexander the Grand Conquerour of the world, * Nec Servire ulli possumus, nec regnare desideramus. Si Deus es, tribuere mortalibus beneficia debes, non sua eripere, sic Homo es, id quod es semper esse te cogita, Stultum est eorum meminisse propter que tui oblivisceris: Let it be all Heroick English Freemens to our pretended Conquerors; who may do well to remember that Hermolaus and other Officers, and Souldiers of Alexanders own Guard, conspired his destruction, after all his Persian Conquests, for this very reason, which they justified to his face, * Quia non ut ingenuis imperare cepisti, Sed quasi in mancipia dominaris; because he had begun not to raige over them as Freemen, but to domineer over them like Slaves; and because Revelations in this age, may be more prevalent with some Men than Gods own Oracles, or our Lawes; I shall inform our Tax-imposing Governours; that St. Bridger of Sweden in the 8 Book of her * Revelations of the Heavenly Emperour unto Kings; cap. 6 records; That she had this Revelation from the Son of God, That Kings and Governours ought to love the People and Commonalty of their Realms: That they then shew they truly love them, when they permit them to enjoy their approved Lawes and Liberties; when cruel Exaltors and Collectors domineer not over them; if they burthen them not with new Inventions of Impost, Taxes, and Tributes, nor with grievous and unaccustomed Hospitality, Permanencies or Freequarter; For although for the resisting of Infidels they may humbly petere auxilium a Populo; humbly request an aid from the People and Commons of their Realms (not imperiously impose it) when there is a necessity; yet let them beware quod necessitas illa non veniat in consuetudinem & legem, that the necessity comes not into a custom and law: * For that King (or Ruler) who layes not aside his unjust Exactions, and Fraudulent Inventions to raise monies, and oppress his People, making his reigns and Kingdoms meer robberies and rapines, as most then did, and now too) let him know for cer-*

* Qu. Curtius,
Hist. l. 7. p.
831.

* Qu. Curtius,
Hist. l. 8.

* Printed at
Nimburgh,
1521.

* See Revela-
tionum l. 4. c.
104, 105. l. 7.
c. 16. l. 8. c.
48. & Revela-
tiones extra-
vagantes. c.
73, 80.

certain he shall not prosper in his doings, but shall lead and end his life in grief, dismisſe his Kingdoms in tribulations; his Son and Poſterity ſha'l be in ſuch hatred, reproach and confuſion, that all men ſhall wonder thereat; & his Soul ſhall be tormented by the Devils in Hell: which * *Revelationum* l. 8. c. 48. manifests by the * example of an unjuſt Tax-impoſing King, damned to Hell, and there tormented by the Devils: For that to retain the Kingdom to himſelf, and defend it from Invaſions, he pretended the ancient Revenues of his Eſchequer would not defray the Expences of the Government, and Realms defence; whereupon he deviſed certain new Inventions, and fraudulent Exactions of Impoſts, Tributes, Taxes, and impoſed them on his Kingdoms, to the damage of the Natives, and oppreſſion of innocent Merchants and Strangers; although his conſcience dictated to him, *Quod iſta erant contra Deum, et omnem Juſtiti- am, et Publicam Honeſtatem*: that theſe things were againſt God, and all Juſtice, and Common Honesty; as our forementioned Excises, Impoſts, Taxes are now. Let thoſe who are now guilty of this ſinne in the higheſt degree, beware they incurre not the ſelf ſame temporal and infernal puniſhments, thus threatned to and inflicted upon others. And let our whole Engliſh Nation and their Truſtees, upon ſerious conſideration of all the premiſes, beware how they in any kind, through fear or cowardiſe, ſubmit their necks or backs to the forementioned illegal *Tokes and Burdens*, of perpetual ſtanding *Excises, Impoſts, Contributions and Taxes*, to enſlave themſelves and their Poſterities for ever to an oppreſſing *Military New Government, and perpetual Army*: For which end I ſhall only recommend unto their meditation and practice, this obſervation and policy of our prudent Anceſters, * *Vinus actus inducit Conſuetudinem*; that a double generall ſubmiſſion to, and payment of ſuch exorbitant illegal Taxes, will introduce a cuſtomary, future exaction and payment of them; which made them always (as we have greateſt reaſon now to do) peremptorily to withſtand the firſt, to prevent a ſecond cuſtomary, future exaction and

* *Math; Paris*
Hiſt. Angl.
P. 517.

and payment in like kind; pursuing the Poet, *Ovid* old sage Counsel, wherewith I shall conclude this point.

* *De Remedio*
Amoris, l. 2.

* *Principiis obsta: sero medicina paratur*
Cum mala per longas invaluere moras,

How transcendently all the other Fundamental Laws, Liberties, Rights of our English Freeborn Nation have by late and present Governours and their Instruments been infringed, subverted in an higher avowed degree than ever in former ages, by forcible tyrannical Proceedings of all kindes, in breaking open mens Houses, by armed Souldiers, and other unsworn illegal Officers, Excisemen, Sequestrators, both by day and night; seising their Persons, Horses, Armes, Papers, Writings; ransacking their Studies, Truncks, Cabinets, upon false surmises, suspicions; close imprisoning their persons (by multitudes) without, before any examination, particular accusation, bearing trial, in unusual places; and some of them in remotest Isles, Garrisons under Souldiers: Their pressing of men for Land and Sea service, and carrying them away perforce by Soldiers, Troopers, Officers, Mariners, (like so many Prisoners) out of their own Counties and the Realm, to unnatural, unchristian Wars, against their Wills and Consciences: Their disinheriting many Thousands of English Freemen of all sorts, of their Fresholds, Lands, Offices, Franchises, Honors, Authorities; spoiling them and theirs of their Goods, Chattles, Estates, Lives, in and by Arbitrary Committees, Martial, & other extravagant Courts of highest Injustice: Subverting, Changing our ancient Fundamental Lawes, Statutes, and enacting New without the Peoples free consents in Lawfull, English Parliaments: altering the whole Frame and Constitution of our Monarchy, Government, and Parliaments themselves: Depriving the people of the Free election of their Parliament Members, and other Elective Officers, contrary to our Lawes, Charters, Usages; securing, secluding the Members of Parliament themselves, by armed Force; dissolving Parliaments by the Sword alone, without writ or legal power,

power, contrary to *Acts and Privileges of Parliament*; by creating *New Legislative, Tax-imposing, Self-created Powers*, (not elected by the People) at *Whitehall* and elsewhere, not to be paralleled in any age. By creating *New Treasons* contrary to the old ones, and the Statute of 25 E. 3. and condemning, sequestering, imprisoning, executing *English Peers and Freemen*, only for their loyalty, Duty to their lawfull Sovereigns, and defence of the *Rights, Privileges, Liberties, Laws of the Kingdom, Parliament, Nation*, according to their Oathes, Protestations, Leagues, Covenant, and Gods own Precepts, against the publique Enemies, Oppugners, Underminers, Subvertors of, and Conspirators against them. By making *publick wars at Land and Sea* with our Christian Protestant Brethren, and other Nations; and concluding Leagues, Truces without common consent or advice in Parliament. By alienating, selling, giving, squandering away the ancient *Demefnes, Lands, Honours, Rents, Revenues, Rights, Inheritances of the Crown of England*, (yea of Scotland and Ireland likewise) to Officers, Souldiers of the Army, and others, for pretended Arrears, Services, or inconsiderable values; which should defray all the constant ordinary Expences of the Government, publique, State Officers, Embassadours, Garrisons, Navy, Courts of the Kingdom, and ease the People from all kind of Taxes, Payments, Contributions whatsoever towards them (except in extraordinary emergent cases and necessities in times of war, requiring extraordinary expences for their publique safety supplied by Aydes and Subsidies granted only by common consent in Parliament only, and not otherwise) which now must be wholly, or for the greatest part defrayed by the People alone, out of their own exhausted private estates, by endless Taxes, Excises, Contributions (as appears by the 27, 28, 29, 30. Articles of their New ill sounding Instrument foreinsisted on) whiles others, without right or legal Title, enjoy the old standing *Demefnes, Lands, Rents, Revenues and Perquisites of the Crown* for their private advantage without any *Acts of Resumption*
(* usual

* See Mat.

Paris p. 306.

308. Grafton,

p. 90. 149.

Daniel, p. 78.

79. 83. 123.

1 R. 2. Rot.

Parl. to 148.

1 H. 4. n. 100.

6 H. 4. n. 14.

15. 8 H. 4. n.

52. 1 H. 5. c.

6. 28 H. 6.

rot Parl. n.

53. 31 H. 6.

c. 7. 33. H. 6.

n. 47. 4 E. 4.

n. 39. 12. E.

4. n. 6.

(* usual in all former ages) to keep the Kingdom, Nation from becoming Bankrupts, and people from oppression) which should ease the people of those intollerable constant burthens lately laid upon them, against all Justice, Law, Conscience; and make insufferable waste, and spoyle of the Stately Houses, Timber, Wood, Mines, Forrests, Parkes of the Crown, without restraint, to the Kingdoms extraordinary prejudice; for which they ought to give an Account and make full reparations, if the Earl of Devonshires case, Cook 11 Reports f. 89 90, 91. be Law. And by sundry other particulars (requiring whole Baronian volumes, to recite and specifie to the full;) is so well known by dayly experience, and multitude of Presidents fresh in memory, to our whole three Nations, that I shall here no further insist upon them. all which experimentally confirm the truth of our Saviours own words, *John 10, 1, 10. Verily, verily I say unto you, He that entreteth not by the Doer into the Sheepfold, but climbeth up some other way, the same is a Theef and a Robber; The Theef cometh not but steal and to kill, and to destroy, Whatever his pretences be to the contrary. And this rule of Johannes Angelinus Wenderhagen: Politia Synoptica, lib. 3. c. 9. sect. 11. p. 3. 10. Hinc Regula loco notandum. Quod omne Regnum vi Armata acquisitum in effectu Subditos Semper in durioris Servitutis condiciones arripiat, licet a principio Dulcedinem prurientibus spirare videatur; (which we now find most true, by sad, sensible experience) Ideo cunctis hoc cavendum, Ne temere se seduci patiantur.*

FINIS.

The first and Second Part of
^A
SEASONABLE, LEGAL,
^{A N D}
HISTORICALL VINDICATION,
^{A N D}

Chronological COLLECTION of the Good, Old, Fundamentall Liberties, Franchises, Rights, Laws of all English Freeman their best Inheritance, Birthright, Security, against all Arbitrary Tyranny, and Egyptian Burdens) and of their strenuous Defence in all former Ages; of late years most dangerously undermined; and almost totally subverted, under the specious Disguise of their Defence and future Establishment, upon a false Basis, by their pretended, Greatest Propagators.

WHEREIN IS,

Irrefragably evinced by Parliamentary Records, Proofs, Presidents, That we have such Fundamentall Liberties, Franchises, Rights, Laws, That to attempt or effect the Subversion of: all or any of them, (or of our Fundamentall Government) by Fraud or Force, is High Treason: The principal of them summed up in X. Propositions; The chief printed Treatises asserting them, specified: A Chronological History of our Ancestors, real, vigilancy, courage, prudence, in gaining, regaining, enjoying, defending, oft confirming and perpetuating them to Posterity, by Great Charters, Statutes, New Confirmations, Excommunications, Speciall Conservations, Consultations, Petitions, Declarations, Remonstrances, Oaths, Protestations, Vows, Leagues, Covenants, and likewise by their Arms, when necessitated, during all the Britons, Romans, Saxons, Danes, Normans and English Kings Reigns, till this present; collected for present and future publique benefit: with a Brief Touch of their late unparalleled Infringements and subversions in every particular: The Trial of all Malefactors by their Peers and Juries, justified, as the only legal, best, most indifferent, and all other late arbitrary Judicatories, erected for their Trial, exploded, as destructive both to our Fundamentall Laws and Liberties.

Collected, recommended to the whole English Nation, as the best Legacy he can leave them,

By William Prynne of Swainswick, Esquire.

The Second Edition Corrected and much Enlarged.

Psal. 11. 3. If the Foundations be destroyed, what can the righteous do?

Psal. 82. 5. They know not, neither will they understand, they wax on in darkness: all the Foundations of the earth are out of course.

London, Printed for the Author, and are to be sold by Edward Thomas in Green Arbour, 1635.

7. That this their Dominion, Raigh and Triumph, is commonly very short, like this *Beasts* here for forty two Months, Rev. 13. 5. which is but three years and an half. (c) *Julius Caesar* that great first Conqueror of this *I-land* and a great part of the *World*; usurping the supream Power over the *Roman Senate*, and changing the Government, lived only FIVE MONTHS A SOVERAIGN LORD IN PEACE (though some compute his whole dominion 3 years and 7 months) and then was suddenly stabbed to death in the Senate-House, by those friends in whom he reposed greatest trust; for his Tyrannical Usurpations, and alteration of their former Government; for endeavouring (as was suspected) to make himself KING OF THE ROMANS, (though he rejected the Title of King when offered unto him by *M. Antonius*, saying, That *Jove* was only King of the Romans, that so he might seem to be compelled to receive it by the people, (being their King before in deed, though not in name;) and for saying, That the *Commonwealth* was but a Voice or Name, without a Body or Substance. *Nullum violentum est diuturnum*, See Isa. 10, and 14. Job. 20. 4, 5, &c. Psal. 37 and 73. Psal. 92. 6, 7. Isa. 17, 13, 14. 2 Chron. 23. and Sir Walter Rawlies Pretace to his *History of the World*, worthy serious perusal by the Grandees of these times.

* Do not some now by words and dees, repute it and the People for

8. That in conclusion such Conquering Usurping Beasts, notwithstanding all their Power, Friends, Followers, Confederates, Armies, Policies, are usually conquered, taken, slain on Earth, and cast into the Lake burning with fire and brimstone for ever, for their Tyrannies, Blasphemies, Bloodsheds Oppressions of the People and Gods Saints; and their Confederates, Armies, false Prophets, followers, adorers* destroyed with them even on earth; and then made to drink the Cup of Gods wrath, fury and torments for ever in hell, Isa. 10, and 14. Jer. 50, and 51. Rev. 19. 19. 20, 21. c. 6. 15, 16, 17.

* See Mat. 23. 35. 1 Kings 16. 17. 18, 19, 20. and our King Richard the third.

9. That though they continue Conquerors and victorious for many years; and conquer not only, one, two of three, but many Kings and Kingdoms; cut off not only the thumbs of their Kings, that they might not lift up a Sword against them, and their great toes, that they may not run

run from them, but their *Heads* too; Yet God at last (in his retaliating Justice) doth usually pay them Home in their own coyn, as is evident, not onely by * *Razzes the Turkish Emperour*, our * King *Penda*, (who slew no lesse than 5. Christian Kings in several battles, took sundry other Kings prisoners, and at last was slain himself, with all his old victorious Captains and Souldiers, by King *Oswi*, and a small despicable Army of raw Souldiers, not half so many as they, Ann. 655. who thereupon seized on his Kingdom) and others in prophane Stories; but by that memorable History of (d) *Adonibezek*; who after his Conquest of no less than seventy Kings, (who ever in this latter age, conquered one quarter so many?) and tyrannizing over their persons, was, by a small party of *Judah* and *Simeon*, fought with on his own dung-hil, his victorious old Army totally routed, ten thousand of them slain, himself forced to fly, pursued, and taken prisoner by these contemptible Enemies, who cut off his thumbs and his great toes. Whereupon *Adonibezek* (though an idolatrous *Canaanite*) used these memorable words, worthy all Conquerours and Tyrants memorial; recorded by God himself to all Posterity, *Judges* 1. 7. *Threescore and ten Kings having their thumbs, and their great toes cut off, have gathered their meat under my table* (like so many Dogs rather than Kings) **AS I HAVE DONE, SO GOD HATH REWARDED ME; and they brought him (Prisoner) to Jerusalem, and there he died.** See the like retaliation threatned, inflicted. *Hab.* 2. 6, 7, 8. *Isa.* 33. 1. *Dan.* 7. 23. to 27. *Obad.* 15. *Ezech.* 35. 5, 6, 15. *Rev.* 16. 5. 6. *Ier.* 51, and 52. *Nah.* 3. 1. &c. *Rev.* 13. 10. *Isa.* 10. & 14. 2 *Chron.* 22. 10. compared with *e.* 23. 12. to the end. (e) See *Joel* 3. 6, 7, 8. *Mar.* 26. 52. Sir Walter Rawleighs Preface to his History of the World, & Dr. Blands Treatise of Gods Judgements, on the 6 and 8 commandments.

10. That the Elect Saints of God, do by faith in the Word of God, and upon consideration of the usual Providence and Justice of God towards such Beasts and bloody Conquerours, most assuredly see their downfall, and with patience expect it, *Rev.* 13. 9, 10. If any man have an ear let him hear. (e) **HE THAT LEADETH INTO CAPTIVITY, SHALL GO INTO CAPTIVITY; HE THAT**

M

THAT

THAT KILLETH WITH THE SWORD, MVST BE KILLED WITH THE SWORD: Here is THE PATIENCE AND THE FAITH OF THE SA'NTS. O that we had this Patience and Faith within us now!

11. That upon this Faith and Assurance, the true Elect Saints of God, *neither will, nor do, nor dare to admire after, follow, worship or adore such B.asts, or their Image, nor receive their marks in their hands, or foreheads, though all the world else ready do it without opposition; enduring patiently rather to be warred upon, killed, secluded from buying or selling any thing, then unchristianly to adore, subje&, or enslave themselves unto them, Rev. 13. 2, 15, 17. Esther 3. 1, to 7. 2 Kings 3. 13, 14. John 10. 4, 5. Dan. 3. 4. to 30. 1 King. 19. 18. 2 Chron. 11. 13. to 18.*

Which serious seasonable considerations, as they should daunt the hearts and allay the high Presumptuous Spirits of the most Successfull Conquerors, Powerfull Usurpers over, and violent Invaders of the Liberties, Lives, Estates, Rights, Properties of their Lawfull Superiours or Christian Brethren, and all Subverters of the Laws, Priviledges, Parliaments, Government of their Native Country, especially against their Oathes and Trusts: So the Meditation on them, together with the contemplation of the infinite Power, Wisdom, Faithfulness, Justice, Holiness, Presence, and gracious Promises of God, have at all times and seasons hitherto, invincibly animated, steeled, fortified my Soul in the midst of all my sufferings, both under the domineering Prelates, Parliament-assaulting Army-Officers, the late Tyrannical cashiered Republicans, and all other self-created oppressing Powers, which (if not already dead and buried in the dust, with all their thoughts and high aspiring Projects,) yet shall certainly (f) *die ere long like men, and become as dung; yea, they have enabled me by Faith and* Patience, to be (g) *more than a conquering triumpher over them: and to sing aloud with magnanimous David (a man after Gods own heart) long before their down-fall, Psal. (g) Rom. 8. 36. 27. 1, 2, 3. The Lord is my Light and my Salvation, whom shall I fear? The Lord is the strength of my life, of whom shall*

(f) Isa. 51. 6.
12. c. 26. 13, 14.
Psal. 82. 7.
Psal. 146. 354.
(g) Rom. 8. 36.
37. Psal. 3. 6.

I be afraid? When the wicked even mine enemies and my foes came upon me to cut up my flesh, they stumbled and fell. Though an Host should encamp against me (as they did at Westminster, at my House, and in sundry Garrisons, where I was a Prisoner under Souldiers) my heart shall not fear: though War should rise against me, in this I will be confident. I will not be afraid of ten thousands of people that have set themselves against me round about. And to cry out in Pauls words of defiance against all Enemies and Perils in the cause of my God and Country (uttered in his own and all true Elected Saints names) Rom. 8. 35, &c. Who shall separate us from the love of Christ? (or our Native Country, as well actively as passively considered;) Shall tribulation? or distress? or persecution? or famine? or peril? or SWORD? (of an whole Army, or other Powers) Nay, in all these things we are more than Conquerors through him that loved us. For I am persuaded, that neither death, nor life, nor Angels, nor PRINCIPALITIES, NOR POWERS, nor things present, nor things to come, nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is in Christ Jesus our Lord. And to say with him in all threatned Dangers for my sincere conscientious publick Services, Act. 20. 22. 24. And now I go bound to Jerusalem, not knowing the things that shall there befall me, save, that the Holy Ghost witnesseth in every City, saying; That Bonds and Afflictions wait for me. But none of these things move me, neither count I my life dear unto me, so that I may finish my course with joy, and the Ministry which I have received of the Lord Jesus, &c. And verily me thinks the serious contemplation thereof, and of all the premises, with that of 2 Sam. 10. 12. 1sa. 54. 12. 13. Jer. 1. 8. Ezech. 2. 2, to 6. Matth. 10. 16. 28. coupled with Psal. 11. 2. If the foundations be destroyed, what can the righteous do? Prov. 24. 22, 23. My Son, fear thou the Lord and the King, AND MEDDLE NOT WITH THOSE WHO ARE GIVEN TO CHANGE; For their calamity shall rise suddenly (which we have seen verified in many late Changers, Mock Parliaments, and self-created new Powers,) and who knoweth

the ruine of them both? should now at last banish all base carnal fears out of all timorous hearts, rouse up the languishing, fearfull, dead, stupid Spirits of our degenerated *English Nation*, and engage them all unanimously, undauntedly to claim, vindicate, regain, re-establish those ancient undoubted *Hereditary Fundamental Rights, liberties, Priviledges, Franchises, Laws, Government*, (purchased with their *Ancestors* & their own dearest *Blood, sweat, Treasures*) which belong to the whole Kingdom; to all true *English Parliaments, Freemen* in general, and to every of them in particular; whereof they have of late years been forcibly dispossessed, or hypocritically cheated by pretended *Patrons, Preservers*, and *Propugners* of them; the substance whereof I have here set before their eyes in ten brief *Propositions*, and by *Records, Statutes, Presidents, Histories, Contexts, Resolutions* in all ages, undauntedly, (as their *Common Advocate*) asserted, fortified to my power, for their Encouragement and president in this publick work. And if they will now but courageously second me herein, with their joyn, bold, rightfull *Claims, Votes, Declarations*, and *Resolute Demands* of all and every of their enjoyments, and future inviolable Establishments; with strenuous Oppositions of all illegal perpetual *Imposts, Excises, Contributions, Payments* (the chief nerves and cords to keep them still in bondage by *Mercenary Forces*, supported only by them to keep them still in slavery) according to their *Oaths, Vows, Protestations, Duties*, manifold late *Declarations, Remonstrances, Solemn League, Covenant*, and the encouraging memorable *Presidents* of their *Ancestors* in former ages here, recorded; I dare assure them (by Gods blessing) a desired good *Success*, whereof their *Ancestors* never failed: no mortal Powers nor *Armies* whatsoever, having either *Impudency* or *Ability* enough to deny, detain them from them, if they will but (b) generally, unanimously, courageously, importunately claim and demand them, as their *Birth-rights*. But if they will still basely disown, betray, and cowardly desert both them and their *Assertors*, and leave them to a single combat with their combined Jesuitical enemies (whom

*See Part. 1.

p. 14, 15, 16.

(b) See 1 Sam.

8. 4. to 22. ch.

12. 2. 2 Sam.

18. 2, 3, 4. Jer.

38. 5.

and all Zealous Protestant Freemen of England.

(whom none take care to discover, suppress or banish out of our Realms, where they now swarm more than ever) and *Armed Invaders*; the Fate of our old *English Britons*, when they improvidently neglected to unite their Counsels, Forces against, and fought only singly with the invading united *Armies of the Romans*, is like to be *Englands* condition now; (i) *Dum pugnant singuli, vincuntur universi*: the single Champions of our Liberties, Laws, Rights, will be easily over-powered, destroyed, for the present; and all others (by their unworthy Treachery and Baseness, in not adhering to, but abandoning their present Patrons) discouraged, disabled to propugne, regain them for the future: and the whole *Kingdom* vanquished, yea enslaved for eternity in all humane probability, to those who have broken your (k) former yokes of wood, but instead thereof have made for, and put upon you yokes of Iron: and by the Jesuites Machiavilian Plots and Policies, will reduce you by degrees under a meer Papal yoke at last, having deeply leavened many in power and arms, with their forementioned most desperate Jesuitical Positions, Practices and Politicks, which will soon usher in the whole body of Popery, and all damnable Heresies whatsoever, by degrees, to the ruine of our Religion, as well as Laws and Liberties.

(i) *Tacticus in vita agricola.*

(k) Jer. 28.
13, 14.

Wherefore, seeing it neither is, nor can be reputed *Treason, Felony, Sedition, Faction*, nor any *Crime* at all, but a commendable bounden Duty, to which our *Protestations, Oaths, League, Covenants, Reason, Law, Conscience*, our own private and the publick Interest, Safety of the Nation engage us, for all and every *Freeborn Englishman*, joyntly and severally to claim, maintain, preserve, by all just, honourable, publick and private wayes they may, their unquestionable Hereditary Birth-rights, *Laws, Liberties, Parliamentary Priviledges*, &c: here asserted and presented to them, after so much *Blood, Treasure, Labour* spent to rescue them out of the hands of old and late oppressing *Tyrants*; nor any *Offence* at all, but a *praise-worthy service* now in me, or any other, publickly to encourage them to this duty, (and the strenuous defence of our endangered undetermined

mined Protestant Religion, subverted with our Laws & Liberties, and *living or dying together with them*) at this present season, as I have done heretofore upon all occasions; And seeing none can justly censure them or me, for discharging our *Oaths, Consciences, Covenants, Protestations, Duties* in this kinde, but such as shall thereby declare themselves *Publick Enemies and Traitors* to the whole Nation, *Laws, Government, Parliaments of England*, as the Resolutions, Presidents, * herein cited, yea their own *best friends*, (and our Reformed Religion too) have already adjudged them: And seeing * Sir Thomas Fairfax and the General Council of his Army, held at Putney Sept. 9. 1647. in their Declaration, concerning THE FVNDAMENTAL AVTHORITY & GOVERNMENT OF THE KINGDON; printed by their appointment, in these words: *Whereas a Member of the General Council of this ARMY, hath publicly declared and expressed himself; THAT THERE IS NO VISIBLE AUTHORITY IN THE KINGDOM, BUT THE POWER & FORCE OF THE SWORD, (as others of them say since, and now both by words and deeds, without controll.) We therefore the said GENERAL COUNCEL (to testifie, How FARRE OUR HEARTS & MINDS ARE FROM ANY DESIGN OF SETTING UP THE POWER OF THE SWORD ABOVE OR AGAINST THE FUNDAMENTAL AUTHORITY & GOVERNMENT OF THE KINGDOM, & OUR READINESSE TO MAINTAIN AND UPHOLD THE SAID AVTHORITY:) have by a Free Voice (in the said Council, no man contradicting) judged the said Member, TO BE EXPELLED THE SAID COUNCEL. Which we hereby thought fit so publish, as A CLEAR MANIFESTATION OF OUR DISLIKE & DISAVOWING SVCH PRINCIPLES OR PRACTISES, (which notwithstanding they have since avowed, pursued in the highest degree; and I desire them now to repent of, reform, and really make good:) have engaged to maintain and propugne with their Swords, what I here endeavour to defend, support, with my Pen. And seeing they intituled their Printed Papers,*

* Part. 1. ch. 1.

† See the Homilies against Disobedience, & wilfull Rebellion.

* A Declaration of the Engagements, Remonstrances, & Resolutions of Sir Tho. Fairfax, & the General Council of the Army, London, 1647. p. 150.

*A Declaration of the Engagements, Remonstrances, Representations, Proposals, Desires, and Resolutions, from his Excellency Sir Tho: Fairfax, and THE GENERAL COUNCEL OF THE ARMY, for setting OF HIS MAJESTY IN HIS JUST RIGHTS, The PARLIAMENT in their JUST PRIVILEGES, and the SUBJECTS in their LIBERTIES & FREEDOMS. Also Representations of THE GRIEVANCES OF THE KINGDOM, & REMEDIES PROPOUNDED, for REMOVING THE PRESENT PRESSURES WHEREBY THE SUBJECTS ARE BURDENED (and EXCISES, TAXES amongst the rest) And the Resolutions of the Army, For the establishment of a firm & lasting peace IN CHURCH & KINGDOM, printed by their own, and the Lords House special Order. London 1647: the self-same things I here contend, plead for, (which I wish they would now really make good by their future consultations and actions to avoid the just censures of meer Hypocrites and Impostors, as the whole World will else repute them.) I shall therefore exhort not only the whole Army, Army-Officers, and their General Council; but likewise the whole English Nation, and all real Lovers of their own or their Countries Liberties, Peace, Laws, Ease, Safety, Religion, and future establishment in this common Cause, in the words of the Philistines one to another in a time of need, when they were greatly afraid, 1 Sam. 4. 9. Be strong and (1) quit your selves like men. O ye Philistines, that ye be not servants to the Hebrews, as they have been to you: quit your selves like men, fight, &c. That (1) 1 Cor. 16. so (as the Apostle writes in the like case, Phil. 1. 27, 28.) Whether I come and see you, or be absent from you: I may hear of your affairs, (that ye stand fast in one spirit, with one mind, striving together for the faith of the Gospel; (and the ancient Fundamental Laws, Liberties, Rights, Priviledges, Parliaments, Government and Religion of our Realm, which the Jesuites and their Instruments make their Master-piece totally to undermine and subvert) And in nothing terrified by your Adversaries, which is to them, an evident token of Perdition, but to you of Salvation, and that of God. If the Pres-
sures.*

(m) Recorded
in Livy, Tully,
Plutarch, Valer-
ius Maximus,
and others.
Nella honesta
dign. Imperio
circa populo
Romano, omnia
pericula pro R.
publica subire
moti pro patria.
Cicero de Fini-
bus bonorum,
Sec. p. 365.
and Tux.

Quest. p. 445.

scilicet of your renowned *Ancestors* here recorded; the *Pa-
terns* of (n) many gallant Pagan Romans, Gracians, who have
spent their *Lives*, for their *Countries*, *Laws*, *Liberities*; Or if
my example and these my *Lucubrations* shall provoke you
hereunto; I shall think my labour well bestowed; and you
and your *Posterities* worthy to live like *English-Freemen*.
But if you wil now neither manfully demand, speak, nor con-
tend for them any more, out of a slavish fear of a prevailing
Army raised only for their just defence, or any other hu-
mane Powers whatsoever; nor once adventure with uni-
ted Spirits now at last, so much as confidently, boldly to ask
these your unquestionable *Birthrights* at the *Thrones* of any
mortal *Grandeers*, your *Fellow-Subjects*, when God Almighty
himself commands you, to come with boldnesse to his celesti-
al Throne of Grace, that you may obtain (not meer right as
here, but) *Mercy* it self, and *Grace* to help in time of need,
Heb. 4. 16. *Qui timide rogat, docet negare*; you can neither
hope for, nor ever obtain them for the future, but deserve
eternally to forfeit them, and you and yours to be made
slaves for ever: However I (though these *Collections* prove
successless) shal carry this as a comfortable *Cordial* with me
to my grave, That I have faithfully discharged my *Conscience*
and bounden *Duty* to my degenerate *Native Country*, by en-
deavouring all I could both to make and preserve it free indeed;
to detect and prevent all *Jesuitical Plots and Practises*, to
undermine, imbroyl, divide, subvert, ruine it; and used
my utmost sincerest constant endeavours in my place and
calling herein. But if through the *Malice*, *Tyranny* or In-
justice of any prevailing *Enemies* of publick Freedom, or
Jesuitical Agents, I shall chance to suffer for it in any kind,
(as I have formerly done for most of my publick services of
this nature) be it close-imprisonments, *Fines*, *Pillories*, *Stig-
matizings* or *Death* it self; I shall onely say beforehand, as
Gregory the Great did heretofore: *Indict. 2. Epist. 78. In
causa qua Deo placere cupio, homines non formido*: and as
noble Heroick *Esther* did, in a like publick case for her en-
dangered captivated *Nation*, (n) *If I perish, I perish*: and
this my unrighteous suffering, shall be a new *Glorious*
Crown

(n) Esth. 4.
16.

and all Zealous Protestant Freemen of England.

Crown of Martyrdom to my head, both in earth and in (e) hea- (e) 2 Co. 4. 16.
1 Tim 4. 7, 8.
ven it self: when the Crowns, Names, Fames of all my
causeless malicious Enemies, Adversaries, Persecutors, and
all Enemies to our Laws, Liberties, Priviledges, Parliaments,
Kingdoms, Church, Religion, shall fade, sink, perish like
dung, and be had in perpetual execration in all our three
Kingdoms; yea, my Bonds, Blood, Booke, shall (I hope)
through Gods own blessing on them, prove SEMEN EC-
CLESIAE, REIPUBLICAE, REGNI, LEGUM, LIBER-
TATUM, AC PARLIAMENTORUM ANGLIAE, in
future ages, when their carcasses, who are publick Ene-
mies to, and subverters of them, shall lie rotting in their
Graves, and their Souls (without sincere repentance) be
scorching, roaring in infernal flames: nay, they shall rise up
in Judgement against and condemn them before all the Tri-
bunals in Earth and Heaven, both now, and hereafter at
that Great Judgement-day, when I, they, and all mankind
shall and must (p) appear naked, upon equal terms, (stript (p) 2 Cor. 5.
10, 11. Mat.
25. 31, 32.
quite of all armed guards and earthly greatness, to secure
them from being brought to Judgement) before the Tribu-
nal of Jesus Christ himself, (in the view of all the Holy An-
gels and Mankind) to give an account of all the things don in the
body in this world, according to that I and they have done, whe-
ther it be good or evil; When all Hypocritical Masks, Dis-
guises, Carnal State-policies of pretended Necessity, Publick
Safety, Danger, Justice; with all other Machiavillian un-
righteous Practises to gild over the most unrighteous, impi-
ous, oppressing, bloody, treasonable, perfidious publick
Actions, will prove but so many Aggravations of Politici-
cians Crying Sins, and of their eternal punishments for
them.

To draw towards a conclusion: I shall recommend to
the whole *English Nation*, and all *cordial well-wishers* to
the Prosperity, Peace, Settlement of our distracted King-
doms, Churches, and endangered Religion, either in or
out of power, these five Considerations more, which
have deeply affected my Spirit, and particularly engaged
me in this Undertaking, for their better information, and

our common preservation from total and final impendent ruine.

(a) *reasons*
Quodlibet 9.
Quod. Ar. 10
p. 332.

Nota.

i. That (a) *Father Parsons*, the trayterous English Jesu-
 ite and his *Jesuitical society*, some years since prophesied:
That they have it by revelation, that by special command-
ment from God, their ORDER AND SOCIETY was mi-
raculouſly instituted for this end, to work a DISMALL
CHANGE amongſt us: that the time is come, WHEREIN
ALL LAWS, CUSTOMS AND ORDERS MUST BE
ALTERED, AND ALL THINGS TURNED UPSIDE
DOWN: and that they, being the only men that have the
name, office and authority of Jeſus; BY THEM IT IS,
THAT THIS MARVELLOUS CHANGE & ALTERA-
TION SHALL BE WROUGHT, in ſuch ſort, AS FROM
THE BEGINNING OF THE WORLD WAS THE
LIKE NEVER HEARD OF BEFORE TO THIS PRE-
SENT. And may we not then juſtly ſuſpect, ſear, conclude,
 that all our late diſmal changes, and turning all things up-
 ſide down in our Church, State, Kingdoms, Parliaments,
 were originally promoted, contrived by the Jeſuites, and
 effected by the ſeduced Officers and Souldiers, as their delu-
 ded instruments? And can we then cry them up for ſuch tran-
 ſcendent rich Mercies, Deliverances, Pledges of Gods Love
 and ſpecial Favours to our Kingdom, Nation; as ſome now
 Proclaim them to the world, becauſe themſelves have gai-
 ned ſo much unrighteous Power, Treafure, Poſſeſſions for
 the preſent, by theſe changes and ruines of our Kingdome?
 Or ſhall we peremptorily deny them to be originally contri-
 ved, promoted by the *Jeſuits*; and immediately effected by
 their ſeduced Instruments, becauſe *they have been likewiſe*
brought to paſſe by Gods own permiſſive Providence, in Wrath,
Juſtice, as a deſerved puniſhment for our manifold crying
ſinnes (not in Mercy towards us) as Hoſea 10. 3. c. 14. 5.
c. 13. 1, 2, 3, 7, 8, 9, 11, 16. Prov. 28. 2. Iſa. 17. 1. to
11. Ezech. 17. 12. to 24. c. 23. 3. to 17. 1 Sam. 8. through-
out. 2 Chron. 11. 13. to 19. c. 25. 20, &c. Jer. 18. 7, 8.
c. 17. 25, 26, 27. c. 22. 4. to 13. Dan. 2. 21. c. 5. 26. to
31. Iſa. 19. 2, 3, &c. fully reſolve? Surely, as Gods
per-

permissive, ordering, over-ruling Providence, doth no wayes justify nor extenuate the guilt of any Traytors, Rebels, Murderers, Conspirators sinnes, Treasons, Rebellions, Murders, Regicides, Conspiracies, Rapines, Oppressions, or Wicked Devices, which he permits them to plot, utt, accomplish; so it doth in no wise exempt them in Gods or Mens esteem from being the true Original Plotters, Contrivers, and immediate instrumental Actors of them; nor from the divine or humane Punishments which they in justice deserit; as is most evident by Gen. 50. 15. to 21. Psal. 37. 7. 9. Prov. 24. 30. 21. 22. Job 20. 3. 6. &c. 1 Kings 12. 12. to 25. c. 15. 23. to 30. c. 16. 1. to 30. specially ver. 7. 8. 2 Kings 11. 1. to 17. c. 14. 5. 6. c. 15. 8. to 32. c. 17. 21. 22. 1 Sam. 8. 2 Sam. 1. 2. to 17. c. 4. throughout. Hos. 1. 4. c. 8. 4. 5. Isay 29. 15. 16. c. 10. 5. 6. 7. &c. Acts 1. 16. to 21. c. 2. 23. 1 Thess. 2. 14. 15. 16. Mat. 27. 3. 4. 5. compared together. And if we should look upon all our late Changes, Revolutions in our Kingdoms, Government, Church, Parliaments, Religion, Laws, (wrought by the Jesuites and their Instruments) as the meer wonderfull immediate Proaventions and Glorious Operations of God himself in the World, and upon the instruments employed in them, only as Gods own precious chosen Saints and Servants, accomplishing nothing but his own determinate Will, Providence, Counsel (though to satisfie their own ambition, covetousnesse, malice, rapine, blood-thirstinesse, lusts) as many now proclaim them, and not as Conspirators, Treacherous, Perfidious, Pernicious Malefactors in the highest degree, as well as Jack Cade, Wat Tyler, Strafford, Canterbury, or the murderers of our Saviour, Josiah, Ishboosheth, with other Kings heretofore, and of Henry the 3. and 4. of France, of late; there should then be no Traytors, Conspirators, Murderers, Sinners, Treasons, Conspiracies, Murders, Sinnes, in the world (being all perpetrated by Gods permissive Providence) no Law, nor Hell to punish them: and it would be no less than a direct resisting, fighting against God and his Providence, for any Christians, Kingdoms, Kings, or Loyal Subjects, to pray against, resist, oppose the Treasons, Murders, Conspiracies, Vsurpations,

Rebellions, Innovations, Plots, of any Jesuits or Romish Emissaries, or their under-Agents, against our Kings, Kingdoms, Governors, Parliaments, Laws, Liberties, Government and Religion: which would be professed Blasphemy, or Frenzy at least, for any man to affirm.

2. That this Jesuite Parsons in his *Locky of the Reformation of all the States of England*, as he prescribed Reforms to the Prince, Court, Counsellors, Noblemen, Bishops, Prelates, Pastors, Universities, Lawyers, Laws, in which he will have STRANGE METAMORPHOSES; so likewise, THE COURT OF PARLIAMENT HE WILL HAVE BROUGHT TO BETTER FORM, as W. W. (a secular Priest) in *A Dialogue between a Secular Priest and a Lay-Gentleman*, printed at Rhemes, An. 1601. p. 95. Watson in his *Quodlibets*, p. 92. to 96. 320. to 334. William Clark (a secular Priest in his *Answer to Father Parsons Label*, p. 75. &c.) in direct terms attest. And may we not then justly suspect, that the late New-models and Reformations of our Kingdoms, Parliaments, Government, Laws, &c. (originally promoted by our * Army Counsels, and Officers) proceeded primarily from the Jesuites Projections & Plots against them, if the Statutes of 23 Eliz. c. 1. 27 Eliz. c. 2. 35 Eliz. c. 2, 3. Jac. c. 1, 2, 4, 5, 7. 7 Jac. c. 6. and the manifold Declarations of both Houses of Parliament, *Exact Collection*, p. 491, 492, 497, 498, 616, 631, 666, 698, 813, to 828. may be judges?

* See their printed Declarations of June 14. 23. Aug. 1. 2. 1647. Their Agreement of the People, Jan. 1648. & Government of the Commonwealth of England, 1654. moulded by them.

"Do not many now boast, talk, write of such a Conquest by the Army over England?

3. That the Jesuites drift directly is (immediately by means of) CONQUEST intended for England) to bring it and all Christendom into an uproar, FOR COMMON SOLDIERS TO EXAMINE THEIR SOVERAIGNS, WHAT TITLE THEY HOLD BY; that thereupon themselves by craft, money and multitudes gathered together through their Policy, may bring England, (and then) Spain, and all the rest under their subjection and Monarchy: And that principally by this Jesuitical Position; That every Prescopie or Tartarian multitude, getting once the stile and title of a PUBLIC STATE, or HELVETIAN COMMON-WEALTH, may alter, change and innovate the course of inheritance.

heritances and succession TO CROWNS AND KINGDOMS, and also to every private Persons heritage holden in Fee-simple: as (b) William Watson assures us in these very (b) Quodlibets, terms. And whether the Jesuites have not instructed our Army-Officers and Common Souldiers upon this pretext, and for this very end, to examine their Sovereigns, yea, our Parliaments Titles, Priviledges, and Powers too of late, and dispose of, reject, suppress them at their pleasure; let themselves, the whole Nation, with all in present power, in the fear of God, most seriously consider, without passion or affection, before it be over-late.

4. That the Oathes of Supremacy and Allegiance (which all Members of Parliament ought by Law to take, before they can sit, or vote as Members) specially made and prescribed by our most wise, zealous (c) Protestant Parliaments, to prevent the Treasonable plots and designs of Popes, Jesuites, and Papists, against our Protestant Princes, Realms, Parliaments, Religion, though confirmed by many Statutes, and containing in them, only the Declaration of such a Duty, as every true and well-affected Subject, not only by the bond of Allegiance, but also by the COMMANDMENT OF GOD, ought to bear to the King, his Heirs and Successors; and none but persons infected with Popish Superstition formerly oppugned, (as the Prologue of the Statute of 7 Jacobi c. 6. positively resolves) have by late State innovators, not only been discontinued, suspended, but declaimed against and repealed (as much as in them lay) as (d) UNLAWFUL OATHS; the old Lawes against Jesuits and Popish Seminaries, discontinued, abrogated, or coldly executed. (e) The New Oath for abjuration of Popery, with all Bills against Jesuites and Papists, presented to the late King by both Houses the last Parliament, and by him consented to in the Isle of Wight, wholly laid aside, and quite buried in oblivion. The Solemn Protestation, League and Covenant, prescribed by the last Parliaments taken by all the well-affected in all the 3 Kingdoms (so (f) prevent the dangerous plots of Papists, Jesuites, and our common enemies to destroy our Religion, Churches, Realms, Government, Parliaments, Laws, Liberties) quite

(c) 1 Eliz. c. 1.

2 Eliz. c. 1. 3 Jac.

c. 4. 3 Jac. c. 4.

3. 7 Jac. c. 6. 16

Caroli. The

Act for Triennial Parliaments.

See J. E. his

Right & Jurisdiction of the

Prelate and the Prince 1

cap. 15. Becanus, Bellarmine,

Lessius, Eudamon Johannis,

& others against this

Oath.

(d) See the

printed Edicts

repealing the,

& enforcing the Engage-

ment, An. 1649

(e) See the

Propositions

for the Treaty.

(f) See the

Preface to the

Covenant.

(g) See the Edicts for the Engagement, An. 1649.

antiquated, decried, detested, and a (g) New Engagement forcibly imposed under highest penalties and disabilities upon all men, diametrically contrary to these Oaths, Protestations and Covenants, which have been (by a new kind of Papal power) publicly dispensed with, and the people absolved from them, to become sworn Homages to other new self-created Lords and Masters. And are not all these, with the late Proclaimed Universal Toleration and Protection of all Religions, to considerate zealous Protestants, strong Arguments of the Jesuites Predominancy in our late counsels, transactions, and changes of publike Government?

5. That the Notion of THE PRESENT GOVERNMENT, (in my weak apprehension) derived its original from the Jesuites late-invented (h) PRESENT CHURCH, the only Supreme Power and Judge of Controversies, which all men must submit unto, by a meer absolute blind Obedience, and implicit faith, without dispute by their determination: as they must do, by a like Jesuitical blind obedience (newly taught and obtruded on us) to that present Republican Government, and new Optimacy, and Popularity, lately set up instead of our Monarchy. Which two forms of Government, and want of a King and Monarchy, as they are the punishment of a peoples Sins, and the Transgressions of a Land by Gods own resolution, not a Mercy. Hosea 10. 3. c. 1. 4. Jer. 18. 7. Prov. 28. 2. Ezr. 19. 14. Lam. 4. 20. c. 5, 7, 8, 12. so they were the inventions of Factious Grecians at first, which put all their Cities into Combustions, fury, frenzy, and civil wars against each other, to their utter overthrow in conclusion: witness these verses of (i) Heniochus, a Greek Comedian:

(i) Bellarmine de Pouis. Romano. Six. Hum: Linderus in de via.

* Thucydides Hist. 1. 1. 3. Plutarch, Isotander, Aristot. Polit. 1. 4. & 5. (j) See Gratius de jure Belli & Pacis, l. 3. c. 15. P. 537.

(k) Watsons Quodlibets, p. 320, 321, 312, 332, 333.

(l) De Monar. Hist. c. 25. (m) Conte de Galles, 220. Guetolrismo Hist. part 3. P. 175, 176.

Tum gemina ad illas accesserunt Mulieres (TITAS QUÆ CUNCTA CONFURBARUNT: OPTIMAE Est nomen alteri: alteri POPULARITAS; 7(RUNT. Quarum incitatu PRIDEM EXTERNATÆ FU-

So the Jesuits, (k) Parsons, (l) Campanella, (m) Car. Richelieu, designed to introduce & set them up amongst us in Engl. Scotl. and Ireland, of purpose to divide, destroy us by civil wars and combustions, and bring us under their Jesuitical power at last,

as the marginal Authorities declare to all the world. And if this be undeniable to all having any sense of Religion, Peace or publick Safety left within their breasts, is it not more than high time for us to awake out of our former lethargy, & forbid, selfish stupidity, to prevent our ruine, by these and other forementioned Jesuitical practises? Or can any Englishman, or real Parl. be justly offended with me for this impartial discovery of them? Or for my endeavours to put all the dislocated Members and Broken bones of our old inverted fundamental body Politick, into their ^{due} places, joints and postures again, without which there is no more (n) possibility of reducing it to its ^{pr}istine health, ease, settlement, tranquillity, prosperity, or of preserving it from perpetual pain, inquietation, consumption and approaching death, than of a natural body whose principal members continue dis-jointed, and bones broken all in pieces, as all prudent State-Physicians must acknowledge.

These five Considerations, together with the Premises; will I presume sufficiently wipe off all the malicious scandalous Imputations, which *Militiars* and other *Papists*, have injuriously cast upon the Principles and chief Professors of our Reformed Religion, in relation to the late exorbitant Proceedings against the King, Parliament, the publicke *Revolutions*, *Confusions*, *Ataxies* both in our Church & Kingdoms; and retort them on the *Jesuitical*, *Papal*, *seditions*, *Treasonable*, *Antimonarchical* Principles and Professors of their Religion, especially the *Jesuits* and *French Cardinals* (*Militiars* his late Lords and Masters) the original Contrivers, and chief clandestine Promoters of them. as every day more and more discovers to the world. And withall abundantly justifie this my undertaking & impartial discovery of Jesuitical plots to ruin our Church, Religion, Kingdoms, Parliaments, Laws, Liberties, Government, against all malicious Enemies, Accusers, Maligners whatsoever, before all the Tribunals of God or Men, where I shal be ready to justifie them upon all occasions. In perpetual testimony whereof, I have hereunto set my Hand, and by Gods Grace shall ever be ready to seal them and the truth of God with my blood, if called out to do it.

Swainswick, Aug. 12. 1654.

William Prynn.

* Optandū quidem est, si modo Respublica salua et incolumis futura sit, ut Civitatis partes omnes quidem sibi content, in suoz statu permaneant. At ut presenti statu gaudeant, Reges Regie dignitate condone commoveantur; Optimates Senatoresque, hac enim illis provvinitus sua pramio est: populus Ephoria. Aristot. Polit. l. 2. c. 7.

(n) See 1 Cor. 12. 12. to 31. 25 H. 8. c. 12. 26 H. 8. c. 3. 1 Jac. c. 1, 2. 3 Jac. c. 1, 2.